
NEW YORK STATE
REGISTER

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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 45 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which full text was included in the Notice or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); or for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making or a Notice of Emergency Adoption and Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and for 30 days after publication of a Notice of Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 45 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:

- the 60-day period expires on April 19, 2015
- the 45-day period expires on April 4, 2015
- the 30-day period expires on March 20, 2015

**ANDREW M. CUOMO
GOVERNOR**

**CESAR A. PERALES
SECRETARY OF STATE**

NEW YORK STATE DEPARTMENT OF STATE

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NEW YORK STATE REGISTER

Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.ny.gov) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments must reach the agency before the proposed rule is adopted. The law provides for a minimum 45-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making for which full text was included or posted on a state web site, or which is a consensus rule or a rule defined in SAPA § 102(2)(a)(ii); a minimum 60-day public comment period after publication in the *Register* of a Notice of Proposed Rule Making for which a summary of the text of the rule was included in the Notice and the full text of which was not published on a state web site; and a 30-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after public comments are due.

The Administrative Regulations Review Commission (ARRC) is charged with the task of reviewing newly proposed regulations to examine the issues of compliance with legislative intent, impact on the economy, and impact on affected parties. In addition to sending comments or recommendations to the agency, please do not hesitate to transmit your views to ARRC:

Administrative Regulations Review Commission
State Capitol
Albany, NY 12247
Telephone: (518) 455-5091 or 455-2731

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KEY: (P) Proposal; (RP) Revised Proposal; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website (www.dos.ny.gov)

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RULE MAKING ACTIVITIES

Each rule making is identified by an I.D. No., which consists of 13 characters. For example, the I.D. No. AAM-01-96-00001-E indicates the following:

AAM -the abbreviation to identify the adopting agency
01 -the *State Register* issue number
96 -the year
00001 -the Department of State number, assigned upon receipt of notice.
E -Emergency Rule Making—permanent action not intended (This character could also be: A for Adoption; P for Proposed Rule Making; RP for Revised Rule Making; EP for a combined Emergency and Proposed Rule Making; EA for an Emergency Rule Making that is permanent and does not expire 90 days after filing.)

Italics contained in text denote new material. Brackets indicate material to be deleted.

Department of Audit and Control

NOTICE OF ADOPTION

Abandoned Property Location Agreements

I.D. No. AAC-48-14-00001-A

Filing No. 93

Filing Date: 2015-02-02

Effective Date: 2015-02-18

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 129.1 of Title 2 NYCRR.

Statutory authority: Abandoned Property Law, section 1414

Subject: Abandoned Property Location Agreements.

Purpose: To conform terminology and to reflect an amendment made to EPTL section 13-2.3.

Text or summary was published in the December 3, 2014 issue of the Register, I.D. No. AAC-48-14-00001-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Jamie Elacqua, Department of Audit and Control, 110 State Street, Albany, New York 12236, (518) 473-4146, email: jelacqua@osc.state.ny.us

Assessment of Public Comment

The agency received no public comment.

Department of Economic Development

EMERGENCY RULE MAKING

Empire State Music and Theatrical Production Tax Credit Program

I.D. No. EDV-07-15-00001-E

Filing No. 87

Filing Date: 2015-01-28

Effective Date: 2015-01-28

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Addition of Part 240 to Title 5 NYCRR.

Statutory authority: L. 2014, ch. 59

Finding of necessity for emergency rule: Preservation of general welfare.

Specific reasons underlying the finding of necessity: Chapter 59 of the Laws of 2014 created the Empire State Musical and Theatrical Production Tax Credit Program. The Program provides for the allocation of tax credits to qualified musical and theatrical production companies that complete qualifying touring productions. These benefits are designed to encourage musical and theatrical productions to perform shows in Upstate New York theatrical facilities.

Chapter 59 of the Laws of 2014 authorized the New York State Department of Economic Development to adopt regulations establishing procedures for the allocation of credits under the Program on an emergency basis by October 31, 2014. Without regulatory action by the Department of Economic Development, procedures will not be in place to accept applications from musical and theatrical production companies desiring to participate in the Program.

Adoption of this rule will allow the Department of Economic Development to begin accepting applications from musical and theatrical production companies, and will assist in stimulating spending on musical and theatrical productions in areas of the State that would otherwise not benefit from such expenditures.

Subject: Empire State Music and Theatrical Production Tax Credit Program.

Purpose: Establish application procedures for the Empire State Musical and Theatrical Production Tax Credit Program.

Substance of emergency rule: The Empire State Musical and Theatrical Production Tax Credit Program (the "Program") provides Empire State Musical and Theatrical Production Tax Credits ("Credits") to qualified musical and theatrical production companies that complete qualifying touring productions of eight or more shows in three or more localities.

1) The rule defines numerous important terms, including, but not limited to, "authorized applicant," "qualified production expenditure," and "qualified touring production."

2) The rule indicates that only authorized applicants, qualified musical and theatrical production companies scheduled to begin production of qualified musical and theatrical productions after submitting an initial application to the New York State Department of Economic Development (the "Department"), may apply to participate in the Program.

3) The rule describes the application process for a musical and theatrical production company pursuing a Credit, including that an authorized

applicant must submit an initial application prior to commencing a qualified touring production and submit a final application subsequent to completion of a qualified touring production.

4) The rule states that Credits shall be issued in the amount of twenty-five (25) percent and the sum of the qualified production expenditures and the transportation expenditures incurred by an applicant.

5) The rule provides that an application shall not be approved unless the Department determines that the application is complete, the applicant completed a qualified touring production, and the applicant did not knowingly submit false or misleading information to the Department.

6) The rule requires an applicant to retain records of any qualified musical and theatrical production costs used to calculate their potential or actual benefit(s) under the Program for a minimum of three years from the date the applicant claims a Credit.

7) The rule provides for an appeal process by which an applicant may appeal the disapproval of its final application by the Department, or the amount of a Credit granted by the Department, before an independent hearing officer.

8) The rule describes information sharing to take place between the Department and the New York State Department of Taxation and Finance relating to Credits applied for, allowed, or claimed under the Program, as well as information regarding taxpayers seeking Credits.

9) The rule describes the annual Program report to be submitted by the Department to the governor, the temporary president of the senate, and the speaker of the assembly. The annual report is to include information on the Credit-eligible man hours and total wages for such credit-eligible man hours for each project, the identify of applicants for Credits, and the amount of each Credit allocated to each taxpayer.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires April 27, 2015.

Text of rule and any required statements and analyses may be obtained from: Thomas P Regan, NYS Department of Economic Development, 625 Broadway, Albany, NY 12245, (518) 292-5123, email: tregan@esd.ny.gov

Regulatory Impact Statement

STATUTORY AUTHORITY:

Chapter 59 of the Laws of 2014 requires the Commissioner of the Department of Economic Development (the "Department") to promulgate regulations establishing the application process for the Empire State Musical and Theatrical Production Tax Credit Program (the "Program"). These procedures include the process for applying for tax credits under the Program, standards for the assessment of applications, and other provisions deemed necessary and appropriate. This regulatory impact statement is submitted in conjunction with the submission of a permanent regulation.

LEGISLATIVE OBJECTIVES:

The proposed rule gives effect to the intention of the legislature in adopting the Empire State Musical and Theatrical Production Tax Credit Program to encourage the production of musical and theatrical shows in venues outside of New York City. The proposed rule furthers this objective by establishing the application process for Empire State Musical and Theatrical Production Tax Credits ("Credits"), and clarifying certain requirements as to which touring productions are qualified to receive Credits under the Program.

NEEDS AND BENEFITS:

The rulemaking is necessary in order to implement the statute contained in Section 24-A of Article 1 of the Tax Law, creating the Empire State Musical and Theatrical Production Tax Credit Program. The statute authorizing the Program directs the Commissioner of the Department of Economic Development to establish procedures for the implementation and execution of the program.

Upstate New York, in particular, is home to some of the premier regional venues in which to produce musical and theatrical productions. In order to induce musical and theatrical production companies to undertake production activities in these non-New York City venues, referred to in the statute as qualified production facilities, the Program will allow musical and theatrical production companies to apply for a Credit against their qualifying production expenditures. To become eligible for a Credit, musical and theatrical production companies must undertake the pre-tour production activities comprising the technical period for the qualified touring production in a qualified production facility. Provided that musical and theatrical production companies meet this qualification requirement, they will be eligible for a Credit equal to twenty-five (25) percent of their qualified production expenditures associated with the show. In addition to pre-tour production costs, qualified production expenditures also include expenditures associated with performing a show before a paying audience in a qualified production facility if the show in question has not been previously performed in any venue other than a qualified production facility.

This incentive will allow musical and theatrical venues located outside of New York City to more fully actualize their potential for attracting

musical and theatrical productions, as well as provide these venues with competitive balance against competing venues located in northeastern states that offer tax incentives to musical and theatrical productions which conduct technical rehearsals and other pre-tour production activities in their venues.

The Program is premised upon using touring musical and theatrical productions, and the expenditures associated with these productions, as tools for economic development. Program incentives will be used to increase the number of musical and theatrical productions that launch tours from venues outside of New York City. This goal will not be achieved without first establishing procedures for the acceptance and evaluation of applications for Program Credits.

The proposed rule establishes the necessary application procedures for the Department to receive applications by musical and theatrical production companies for Program Credits. These rules allow for the prompt and efficient commencement of the Empire State Musical and Theatrical Production Tax Credit Program, clarify which touring productions will be eligible for Program Credits, and promote the general welfare of New Yorkers.

COSTS:

I. Costs to private regulated parties (the business applicants): None. The proposed rule will not impose any additional costs to eligible business applicants.

II. Costs to the regulating agency for the implementation and continued administration of the rule: None.

III. Costs to the State government: None.

IV. Costs to local governments: None. The proposed rule will not impose any costs on local governments.

LOCAL GOVERNMENT MANDATES:

None. There are no local government mandates associated with the Program.

PAPERWORK:

The rule establishes qualification rules and application procedures for the Program. The rule entails certain paperwork burdens including materials to be submitted as part of applications for Program Credits, additional documents the Commissioner may request from applicants as part of his evaluation of applications, and certain records that must be maintained by program participants for auditing purposes.

DUPLICATION:

The proposed rule will create a new section of the existing regulations of the Commissioner of the Department of Economic Development, Part 240 of 5 NYCRR. Accordingly, there is no risk of duplication in the adoption of the proposed rule.

ALTERNATIVES:

No alternatives were considered with regard to creating a new rule in response to the statutory requirement. The rule interprets the Empire State Musical and Theatrical Production Tax Credit Program requirements as to the application process for tax credits under the Program. This action is necessary in order to clarify how qualifying musical and theatrical production companies may obtain tax benefits under the Program, and is required by the legislation establishing the Program.

FEDERAL STANDARDS:

There are no federal standards applicable to the Program; it is purely a state program that offers tax benefits to musical and theatrical production companies with qualifying expenses. Therefore, the proposed rule does not exceed any federal standard.

COMPLIANCE SCHEDULE:

The affected agency (Department of Economic Development) and any musical and theatrical production company applicants will be able to achieve compliance with the regulation as soon as it is implemented.

Regulatory Flexibility Analysis

Participation in the Empire State Musical and Theatrical Production Tax Credit Program is entirely at the discretion of qualifying musical and theatrical production companies. Neither statute nor the proposed rule impose any obligation on any local government or business entity to participate in the program. The proposed rule does not impose any adverse economic impact or compliance requirements on small businesses or local governments. In fact, the proposed rule may have a positive economic impact on small businesses. Small businesses may enjoy increased business if the Empire State Musical and Theatrical Production Tax Credit Program induces applicant musical and theatrical production companies to procure products or services from small businesses in Upstate New York regions that the musical and theatrical production companies would not have included as destinations in their touring productions without the tax credit benefits.

Because it is evident from the nature of the proposed rule that it will have either no impact or a positive impact on small businesses and local government, no further affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small business and local government is not required and one has not been prepared.

Rural Area Flexibility Analysis

The Empire State Musical and Theatrical Production Tax Credit Program provides tax benefits to participating musical and theatrical production companies, and does not distinguish between venues located in rural and urban areas of Upstate New York. Furthermore, the rule does not impose reporting, recordkeeping or other compliance requirements on public or private entities in rural areas, except for any rural musical and theatrical production companies which voluntarily choose to participate in the Program. Therefore, the rule will not have a substantial adverse economic impact on rural areas. Accordingly, a rural flexibility analysis is not required and one has not been prepared.

Job Impact Statement

The proposed rule establishes application procedures for musical and theatrical production companies to apply for benefits under the Empire State Musical and Theatrical Production Tax Credit Program, as well as standards for the assessment of applications by the Commissioner of the Department of Economic Development. The Empire State Musical and Theatrical Production Tax Credit Program provides tax incentives to musical and theatrical production companies that incur qualifying expenditures in association with qualified touring productions. The program aims to attract musical and theatrical productions to Upstate New York musical and theatrical venues so as to stimulate economic activity and create jobs. The rule will not have a substantial adverse impact on jobs and employment opportunities; rather, the program is intended to create jobs. Because it is evident from the nature of the rulemaking that it will have either no impact or a positive impact on job and employment opportunities, no further affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Department of Environmental Conservation

**EMERGENCY/PROPOSED
RULE MAKING
NO HEARING(S) SCHEDULED**

Revised Closed Season for the Harvest and Landing of Lobster from Lobster Management Area 4 and Repeal of Mandatory V-Notch Rule

I.D. No. ENV-07-15-00002-EP
Filing No. 91
Filing Date: 2015-01-30
Effective Date: 2015-01-30

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of section 44.1(h) of Title 6 NYCRR.
Statutory authority: Environmental Conservation Law, sections 3-0301, 13-0105 and 13-0329

Finding of necessity for emergency rule: Preservation of general welfare.
Specific reasons underlying the finding of necessity: This rule must be promulgated as an emergency rule to ensure that Lobster Management Area (LMA) 4 lobster harvesters are not burdened by two seasonal closures during 2015. The proposed rule will repeal the current lobster closure in LMA 4 (February 1 – March 31) and adopt a new closure (April 30 – May 31). The rule will also repeal the mandatory V-notch requirement for LMA 4. Lobster harvesters will no longer be required to snip a V on the carapace of egg bearing female lobsters they catch in LMA 4.

Addendum XVII of the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan (FMP) for American Lobster requires a ten percent reduction in lobster harvest in LMA 4. In 2013, LMA 4 did not meet its required ten percent reduction. In October 2014, the ASMFC American Lobster Management Board revised the closed season dates in LMA 4 from February 1 through March 31 to April 30 through May 31 to ensure the ten percent reduction in harvest. This revised closed season must be implemented in 2015 for New York State to remain in compliance with the ASMFC lobster FMP.

The new closed season must be adopted before February 1 to ensure

that permit holders are only required to comply with the new closed season. If the rule is not adopted in a timely manner, LMA 4 lobster harvesters will be required to stop harvesting and remove their gear by February 1, resume fishing April 1, and then stop harvesting and remove their gear again by April 30.

Subject: Revised closed season for the harvest and landing of lobster from Lobster Management Area 4 and repeal of mandatory V-notch rule.

Purpose: To implement ASMFC American Lobster Fishery Management Plan Addendum XVII and allow the lobster stock to rebuild.

Text of emergency/proposed rule: Part 44 of 6 NYCRR is amended read as follows:

Existing paragraph 44.1(g)(1) of 6 NYCRR is repealed.
 Existing paragraphs 44.1(g)(2) and 44.1(g)(3) are renumbered 44.1(g)(1) and 44.1(g)(2).
 Existing paragraphs 44.1(h)(1) and 44.1(h)(2) are amended to read as follows:

(1) The harvest and landing of lobsters from LMA 4 is prohibited from [February 1] *April 30* through [March] *May 31*.

(2) During the [February 1] *April 30* through [March] *May 31* closure, lobster permit holders who use lobster traps or pots [will have a two week period to remove lobster pots from the water after the closed season begins] *may set un-baited lobster traps or pots one week prior to the end of the closed season*. No lobster trap or pot may be in the water from [February 15] *April 30* to [March] *May 24*, unless the lobster permit holder also holds the appropriate license(s) to harvest other species from [their] *his or her* traps or pots. [Lobster permit holders may set un-baited lobster traps or pots one week prior to the end of the closed season.]

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire April 29, 2015.

Text of rule and any required statements and analyses may be obtained from: Kim McKown, New York State Department of Environmental Conservation, 205 North Belle Mead Road, Suite 1, East Setauket, NY 11733, (631) 444-0454, email: kim.mckown@dec.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 45 days after publication of this notice.

Additional matter required by statute: Pursuant to the State Environmental Quality Review Act, a negative declaration is on file with the department.

Regulatory Impact Statement

1. Statutory authority:
 Environmental Conservation Law (ECL) sections 3-0301, 13-0105 and 13-0329 authorize the Department of Environmental Conservation (DEC) to establish by regulation closed season regulations for Lobster Management Areas (LMA) 1, 2, 3, 4, 5, and Outer Cape Cod (OCC) for American lobsters.

2. Legislative objectives:
 It is the objective of the above cited statutory provisions that DEC manages marine fisheries to optimize resource use for commercial and recreational harvesters consistent with marine fisheries conservation and management policies, and interstate fishery management plans.

3. Needs and benefits:
 Recent stock assessment reports have indicated that the Southern New England (SNE) American lobster population is depleted and recruitment is low. In February 2012, the Atlantic States Marine Fisheries Commission's (ASMFC) American Lobster Management Board (Lobster Board) approved an addendum to the American Lobster Fishery Management Plan (FMP) to decrease lobster harvest in SNE by ten percent and to initiate stock rebuilding (see Addendum XVII to Amendment 3 to the Interstate Fishery Management Plan for American Lobster). Each LMA in SNE adopted management measures to meet this objective. All other LMAs, except LMA 4, met the required ten percent reduction in 2013. The Lobster Board requires that alternative measures be enacted to ensure that harvest from LMA 4 meet the ten percent reduction. In October 2014, the ASMFC Lobster Board revised the closed season dates from February 1 through March 31 to April 30 through May 31 to ensure the ten percent reduction in harvest.

DEC's Division of Fish, Wildlife and Marine Resources proposes amendments to 6 NYCRR Part 44 to meet the ten percent harvest reduction in LMA 4. The proposed rule will repeal the original lobster closure in LMA 4 (February 1 – March 31) and adopt a new closure (April 30 – May 31). The rule will also repeal the mandatory V-notch regulations for LMA 4. Lobster harvesters will no longer be required to snip a V on the carapace of egg bearing female lobsters that they caught in LMA 4.

The closed season must be implemented during 2015 for New York State to remain in compliance with the ASMFC lobster FMP. The rule must be in effect before February 1 to ensure that LMA 4 lobster permit holders are not unnecessarily burdened with two closed seasons.

4. Costs:

The proposed closed season rule will not impose any costs on local governments, but may increase the workload of DEC enforcement. It is estimated that the proposed season closure may cost LMA 4 permit holders in total approximately \$27,000 more annually than the current season closure, based on 2013 lobster harvest data.

5. Local government mandates:

The proposed rule does not impose any mandates on local government.

6. Paperwork:

None.

7. Duplication:

The proposed amendment does not duplicate any State or Federal requirement.

8. Alternatives:

Ten percent trap reduction alternative: The Lobster Conservation Management Team for LMA 4 proposed to reduce the number of traps fishing for lobsters in LMA 4 by ten percent as an alternative management option to the ASMFC Lobster Board. The Lobster Board rejected this alternative because it found it was unlikely to meet the required ten percent harvest reduction. Trap reductions do not necessarily translate into an equal reduction in harvest.

No action alternative: The ASMFC Interstate FMP for Lobster requires that states adopt management measure to reduce harvest in LMA 4 by ten percent. If DEC does not adopt this proposed rule, a determination of delayed implementation by ASMFC may be imposed. Upon such a finding, the lobster fishery could be shut down in 2016 for an equal number of days the implementation of the management measures was delayed this year. New York could also be judged out of compliance with the ASMFC American Lobster FMP. This could lead to a total closure of the New York commercial and recreational lobster fisheries. The total closure of the lobster fishery in New York would cause a more significant impact on commercial and recreational harvesters than the proposed rule. Any closure of the lobster fishery would cause significant hardship on lobster harvesters and the associated fishing industries. The estimated dollar value of New York's commercial lobster harvest was approximately \$1 million in 2013.

9. Federal standards:

The amendments to Part 44 are in compliance with the ASMFC FMP for American lobster.

10. Compliance schedule:

The rule making must be implemented before February 1, 2015 to ensure that New York LMA 4 lobster harvesters are not unduly burdened by two closed seasons in 2015. Regulated parties will be notified of the changes to the regulations by mail, through appropriate news releases, and via DEC website and electronic mailing list.

Regulatory Flexibility Analysis

1. Effect of rule:

The amendment of 6 NYCRR Part 44 revises the closed season dates for lobster harvesters in Lobster Management Area (LMA) 4, as required by the Atlantic States Marine Fisheries Commission (ASMFC). The rule will affect both commercial and recreational lobster harvesters. The regulations do not apply directly to local governments, and will not have any direct effects on local governments.

The objective of Addendum XVII to ASMFC American Lobster Fishery Management Plan (FMP) is to reduce harvest of lobster in Southern New England (SNE) by 10 percent to initiate stock rebuilding. Management measures implemented in 2013 did not meet the required reduction in LMA 4; therefore, the Lobster Conservation Management Team (LCMT) met and developed revised measures. The amended management approach calls for revised closed season dates for LMA 4 (waters off the south shore of Long Island). The 2013 management measures included a closed season from February 1 through March 31, while the revised closed season is from April 30 through May 31. An emergency rule is necessary to ensure that New York's LMA 4 lobster harvesters are not burdened with two closed seasons during 2015. In 2013, there were 326 licensed resident commercial lobster fishers in New York; most were self-employed. The objective of Addendum XVII is to decrease harvest by 10 percent. We estimate the proposed closure may cost New York's lobster harvesters \$27,000 annually, using 2013 lobster harvest data. Lobster harvesters who fish in both LMAs 4 and 6 may incur additional costs due to implementation of the most restrictive rule which requires them to observe the closed season rules for both of the LMAs. The regulatory changes also apply to non-commercial harvesters. There were 750 non-commercial lobster harvesters in 2013. In 2013, approximately sixty-five percent of the non-commercial permit holders fished in areas that would be impacted by the rule.

In the long-term, the maintenance of sustainable fisheries will have a positive effect on small businesses in the lobster fishery. Any short-term losses in participation, harvest, and sales will be offset by the restoration of lobster stocks and an increase in yield from well-managed resources.

Protection of the lobster resource is essential to the survival of the commercial and recreational lobster fisheries. These regulations are designed to protect stocks while allowing appropriate harvest, to prevent over-harvest and to continue to rebuild lobster stocks for future utilization.

2. Compliance requirements:

Lobster harvesters who fish in LMA 4 must observe the April 30 through May 31 season closure. Harvesters may set un-baited lobster traps or pots one week prior to the end of the closed season. Harvesters who designate multiple LMAs on their permit must abide by the closed season rules for all the LMAs listed on their permit.

3. Professional services:

None.

4. Compliance costs:

There are no initial capital costs that will be incurred by a regulated business or industry to comply with the proposed rule. Lobster industry costs involve the potential loss of harvest due to the closed season (details in section 1). Lobster harvesters who fish in multiple LMAs may incur additional costs due to implementation of the most restrictive rule.

5. Economic and technological feasibility:

The proposed regulations do not require any expenditure on the part of affected businesses in order to comply with the changes. The changes required by this proposed rule will be economically feasible for the majority of the affected parties.

There is no additional technology required for small businesses, and this action does not apply to local governments.

6. Minimizing adverse impact:

The promulgation of this regulation is necessary for New York to remain in compliance with the FMP for lobster. The regulations are intended to protect the lobster resource and avoid the adverse impacts that would be associated with closure of the fishery due to non-compliance with the FMP.

Ultimately, the maintenance of long-term sustainable fisheries will have a positive effect on employment in the lobster fishery, as well as wholesale and retail outlets and other support industries. Failure to comply with the FMP and to take required actions to protect the lobster fishery could hinder the rebuilding of the SNE lobster stock and have an adverse impact on the commercial and recreational lobster fisheries, as well as supporting industries. These regulations are being adopted in order to initiate stock rebuilding while allowing for some harvest.

7. Small business and local government participation:

ASMFC had public hearings on Addendum XVII to which all resident commercial lobster license holders were invited. In addition, the LMA 4 LCCMT met to decide on revised implementation measures for this Addendum.

There was no special effort to contact local governments because the proposed rule does not affect them.

8. Cure period or other opportunity for ameliorative action:

Pursuant to SAPA 202-b (1-a)(b), no such cure period is included in the rule because of the potential adverse impact on the lobster resource. Cure periods for the illegal taking of lobster are neither desirable nor recommended. Immediate compliance is required to ensure the general welfare of the public and that the resource is protected.

Rural Area Flexibility Analysis

The Department of Environmental Conservation has determined that this rule will not impose an adverse impact on rural areas. The lobster fisheries directly affected by the proposed rule are entirely located within the marine and coastal district, and are not located adjacent to any rural areas of the State. Further, the proposed rule does not impose any reporting, record-keeping, or other compliance requirements on public or private entities in rural areas. Since no rural areas will be affected by the proposed amendments of 6 NYCRR Part 44, a Rural Area Flexibility Analysis is not required.

Job Impact Statement

1. Nature of impact:

The amendment of 6 NYCRR Part 44 will revise the closed season for lobster harvesters in Lobster Management Area (LMA) 4 (waters off the south shore of Long Island). This closed season is an alternative management measure to meet the objective of the Atlantic States Marine Fisheries Commission (ASMFC) American Lobster Fishery Management Plan (FMP) Addendum XVII. The objective of this addendum is to reduce the harvest of lobster in Southern New England (SNE) by ten percent to initiate stock rebuilding. In 2013, LMA 4 did not meet the ten percent harvest reduction goal; therefore, the current management measures are being revised at the direction of ASMFC. The proposed rule repeals the current closed season in LMA 4, from February 1 through March 31, and adopts a new closure from April 30 through May 31. The harvest and landing of lobsters from LMA 4 during April 30 through May 31 will be prohibited. Lobster harvesters who use lobster traps or pots may set un-baited lobster traps or pots one week prior to the end of the closed season.

Failure by New York to adopt this measure could result in a determination of non-compliance by ASMFC and the Secretary of Commerce, as well as the imposition of a lobster fishery closure - a complete ban on fishing for lobster in New York. These rules will affect both commercial and recreational permit holders.

2. Categories and numbers affected:

In 2013, there were 326 resident commercial lobster permit holders in New York; most are self-employed. Approximately 90 of these permit holders have trap tag allocations in LMA 4. These permit holders may incur additional impacts due to implementation of the most restrictive rule, which requires them to observe the most restrictive rules in all LMAs in which they fish. The regulatory changes also apply to non-commercial harvesters. There were 750 non-commercial lobster permit holders in 2013. In 2013, approximately sixty-five percent of the non-commercial permit holders fished in areas that would be impacted by the rule.

3. Regions of adverse impact:

This rule making will impact lobster harvesters fishing in LMA 4 which is located in the near shore Atlantic Ocean off the south shore of Long Island.

4. Minimizing adverse impact:

Should New York fail to adopt this measure, ASMFC may find determination of non-compliance and the Secretary of Commerce may impose a lobster fishery closure for the State of New York. This rule making will prevent this punitive closure of the lobster fishery in New York. If the fishery were to close, it would reduce harvest by one hundred percent rather than the ten percent reduction objective of the addendum. During 2013, New York's 326 resident commercial lobster permit holders harvested almost 250,000 pounds of lobsters for a value of approximately \$1 million. In addition, there were 750 non-commercial lobster permit holders who harvested approximately 2,300 pounds.

Thus, the proposed season closure minimizes the potential for loss of existing jobs due to a closure of the fishery. In the long-term, the maintenance of sustainable fisheries will have a positive effect on lobster harvesters. Any short-term losses in participation, harvest, and sales are anticipated to be offset by the rebuilding of fishery stocks. Protection of the lobster resource is important to the survival of the lobster industry and the businesses that support it.

5. Self-employment opportunities:

The lobster industry as a whole is self-employed. This rule is not expected to result in additional opportunities for self-employment.

Section 67.4(e)(1)(i) and (ii) are amended to read as follows:

(i) immediately require the named insured to sign the ACKNOWLEDGEMENT OF REQUIREMENT FOR PHOTO INSPECTION (NYS APD form D), contained in section [67.13] 67.12 of this Part, or a substantially equivalent form, and retain a copy of the signed acknowledgement in the named insured's policy record; or

(ii) mail, deliver or otherwise transmit the CONFIRMATION OF PHYSICAL DAMAGE COVERAGE - NOTICE OF MANDATORY PHOTO INSPECTION REQUIREMENT (NYS APD form B), contained in section [67.13] 67.12 of this Part, or a substantially equivalent form, to the named insured and the producer of record and retain a copy of the confirmation notice and proof of mailing thereof in the named insured's policy record.

Section 67.5(c) is amended to read as follows:

(c) The inspection shall be recorded on the prescribed AUTOMOBILE INSURANCE INSPECTION REPORT (NYS APD form A) contained in section [67.13] 67.12 of this Part.

Section 67.6(a) is amended to read as follows:

(a) If the named insured fails to make the insured automobile available for the mandatory inspection prior to expiration of the deferral period specified in section 67.4(b) of this Part, then automobile physical damage insurance on the insured automobile shall be suspended at 12:01 a.m. of the day following the [tenth] *fourteenth* calendar day after the effective date of coverage.

Section 67.6(c) is amended to read as follows:

(c) After an insurer suspends a named insured's automobile physical damage insurance, the insurer shall mail, deliver or transmit [-]the prescribed CONFIRMATION OF SUSPENSION OF PHYSICAL DAMAGE COVERAGE (NYS APD form C) contained in section [67.13] 67.12 of this Part, or a substantially equivalent form, to the named insured, with a copy to the producer of record and any lienholders, no later than 20 calendar days after the effective date of automobile physical damage insurance suspension.

Section 67.7(c)(1)(i)(b) is amended to read as follows:

(b) if the named insured fails to make the insured automobile available for inspection, then the insurer shall suspend the automobile physical damage insurance at 12:01 a.m. on the [30th] *thirty-first* day after the annual policy renewal date;

Section 67.7(e) is amended to read as follows:

(e) If the named insured fails to make the insured automobile available for the renewal inspection prior to expiration of the deferral period specified in subdivision (c) of this section, then the insurer shall suspend the automobile physical damage insurance [pursuant to] *effective at 12:01 a.m. on the day following the last day of the deferral period and in accordance with the requirements of section 67.6 of this Part.* If the named insured makes the insured automobile available for the renewal inspection after the insurer suspends the automobile physical damage insurance, then the insurer shall accept the inspection and reinstate the automobile physical damage insurance effective as of the date and time of the renewal inspection pursuant to section 67.6 of this Part.

Section 67.8(a)(1) is amended to read as follows:

(1) the [ten-calendar-day] *fourteen-calendar-day* deferral period for new business provided by section 67.4 of this Part shall be mandatory; and ***Text of proposed rule and any required statements and analyses may be obtained from:*** Camielle Barclay, NYS Department of Financial Services, One State Street, New York, NY 10004, (212) 480-5299, email: camielle.barclay@dfs.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 45 days after publication of this notice.

Consensus Rule Making Determination

This amendment deletes duplicative language that exists in another provision of the regulation, and makes technical corrections and amendments in order to comport with other provisions in the regulation. Therefore, no person or entity is likely to object.

Accordingly, this rulemaking is determined to be a consensus rulemaking, as defined in State Administrative Procedure Act ("SAPA") § 102(11), and is proposed pursuant to SAPA § 202(1)(b)(i). Therefore, this rulemaking is exempt from the requirement to file a Regulatory Impact Statement, Regulatory Flexibility Analysis for Small Businesses and Local Governments, and Rural Area Flexibility Analysis.

Job Impact Statement

This amendment deletes duplicative language that exists in another provision of the regulation, and makes technical corrections and amendments in order to comport with other provisions in the regulation. Amendment of the rule will not adversely impact job or employment opportunities in New York State, or have any adverse impact on self-employment opportunities, because the revision imposes no new or additional requirements on any entity subject to the rule.

Department of Financial Services

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Mandatory Underwriting Inspection Requirement for Private Passenger Automobiles

I.D. No. DFS-07-15-00004-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: This is a consensus rulemaking to amend Part 67 of Title 11 NYCRR.

Statutory authority: Financial Services Law, sections 202 and 302; Insurance Law, sections 301, 3411, 5303 and art. 53

Subject: Mandatory Underwriting Inspection Requirement for Private Passenger Automobiles.

Purpose: Revise requirements regarding the inspection of private passenger automobiles for physical damage coverage.

Text of proposed rule: The heading of Section 67.2 is amended to read as follows:

§ 67.2 Mandatory inspection [requirements] *requirement* for private passenger automobiles.

Section 67.3(d)(1) is amended to read as follows:

(d)(1) When an insurer waives an inspection pursuant to subdivision (a)(2) of this section[:

(i)], the insurer shall request that the named insured submit a copy of the lease agreement that sets forth a full description of the automobile at the time of lease or rental[; and

(ii) condition payment of any physical damage loss upon the insurer's receipt of the relevant documents set forth in subparagraph (i) of this paragraph].

Long Island Power Authority

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Rates and Charges Set Forth in LIPA's Tariff for Electric Service

I.D. No. LPA-07-15-00003-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Authority is considering a proposal to adopt a 3-year rate plan prepared by PSEG-LI and the Authority's staff, subject to Department of Public Service review and recommendations, and consideration by the Authority's board of trustees.

Statutory authority: Public Authorities Law, section 1020-f(u) and (z); Public Service Law, section 3-b(3)(a)

Subject: Rates and charges set forth in LIPA's Tariff for Electric Service.

Purpose: To set rates and charges at the lowest level consistent with sound fiscal and operating practices and safe and adequate service.

Substance of proposed rule: The Long Island Power Authority ("the Authority") is considering, pursuant to section 1020-f(u) of the New York Public Authorities Law ("PAL"), the adoption of a three-year rate plan (the "Rate Plan"), proposed by PSEG-LI and the staff of the Authority, for an increase in the rates and charges for the delivery of electric power at the lowest level consistent with sound fiscal and operating practices of the Authority and which provide for safe and adequate service. The Rate Plan proposes increases in delivery charges equal to approximately 2% per year of total electric rates (based on increases of approximately 3.9% per year of estimated annual delivery revenues) and various current cost recovery mechanisms.¹ The rate adjustments, which would not become effective until January 1, 2016, will follow a three-year freeze of delivery rates that began January 1, 2013. In addition, the Rate Plan proposes changes to the existing monthly service charge, low income rates, and back-up rates.²

Pursuant to section 1020-f(u) of PAL and section 3-b(3)(a) of the New York Public Service Law ("PSL"), the Department of Public Service ("DPS") will review and make recommendations to the Authority's board of trustees (the "Trustees") respecting the Rate Plan. In undertaking such review and recommendations, DPS will provide for public statement and evidentiary hearings and participation of intervenors and other parties. PSL § 3-b.³ DPS is expected to make its recommendation by September 30, 2015. DPS may recommend that the Trustees adopt, in whole or in part, modify, or reject the terms set forth in the Rate Plan or in other proposals submitted by other parties or intervenors. Unless the Trustees determine that any particular recommendation made by DPS is inconsistent with the Authority's sound fiscal operating practices, any existing contractual or operating obligations, or the provision of safe and adequate service, the Trustees will implement such recommendations as part of their final rate plan. PAL § 1020-f(u). If the Trustees make a preliminary determination of inconsistency with respect to any DPS recommendation, they will, upon due notice to DPS and the public, hold a public hearing with respect to such preliminary determination. Id. Within thirty days after such public hearing, the Trustees shall announce their final determination.

¹ In a separate Notice of Proposed Rulemaking, published in the New York State Register on January 14, 2015 (I.D. No. LPA-02-15-00006-P), LIPA and PSEG-LI proposed several rate adjustment clauses so as to more closely align rates with the actual costs of operating LIPA's system. In addition to these proposed rate adjustment clauses, LIPA's tariff presently contains several adjustment clauses, including a fuel and purchased power adjustment clause and an energy efficiency adjustment clause, both of which will be continued.

² The full text of the Rate Plan and all related filings are available on the website of the Department of Public Service, under DPS Matter Number 15-00262.

³ Advance notice of public hearings and any deadlines for public comment will be posted on the websites of DPS and LIPA.

Text of proposed rule and any required statements and analyses may be obtained from: Justin H. Bell, Long Island Power Authority, 333 Earle Ovington Blvd., Suite 403, Uniondale, NY 11553, (516) 719-9886, email: jbell@lipower.org

Data, views or arguments may be submitted to: Secretary to the Commis-

sion, Attn: DPS Matter No. 15-00262, New York State Public Service Commission, Empire State Plaza, Agency Building 3, Albany, NY 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: Five days after the last scheduled public hearing.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

Public Service Commission

PROPOSED RULE MAKING HEARING(S) SCHEDULED

Major Electric Rate Increase Filing

I.D. No. PSC-07-15-00005-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a proposal filed by Orange and Rockland Utilities, Inc. to make various changes in the rates, charges, rules and regulations contained in its Schedule for Electric Service, P.S.C. No. 3 — Electricity.

Statutory authority: Public Service Law, sections 5, 65 and 66

Subject: Major electric rate increase filing.

Purpose: To establish rates and practices for electric service.

Public hearing(s) will be held at: 10:00 a.m. (Evidentiary Hearing)*, May 4, 2015 and continuing daily as needed at Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY.

*On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Cases 14-E-0493 and 14-G-0494.

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Substance of proposed rule: The Commission is considering a proposal filed by Orange and Rockland Utilities, Inc. (Orange and Rockland or the Company) to increase the Company's electric delivery revenues for the rate year ending October 31, 2016 by \$33.4 million, which is approximately an 11.5% increase in delivery revenues (or about a 6.0% increase in an average residential customers' total monthly bill). In its proposed filing, Orange and Rockland states the three primary drivers for the rate filing are increased property taxes, additional infrastructure investments, and the costs associated with Superstorm Sandy. The statutory suspension period for the proposed filing runs through October 30, 2015, however, Orange and Rockland requests that the rates become effective on November 1, 2015. The Commission may adopt, in whole or in part, modify, or reject terms set forth in Orange and Rockland's proposal or other negotiated proposals.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: elaine.agresta@dps.ny.gov

Data, views or arguments may be submitted to: Kathleen H. Burgess, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 45 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(14-E-0493SP1)

**PROPOSED RULE MAKING
HEARING(S) SCHEDULED**

Major Gas Rate Increase Filing

I.D. No. PSC-07-15-00007-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a proposal filed by Orange and Rockland Utilities, Inc. to make various changes in the rates, charges, rules and regulations contained in its Schedule for Gas Service, P.S.C. No. 4 — Gas.

Statutory authority: Public Service Law, sections 5, 65 and 66

Subject: Major gas rate increase filing.

Purpose: To establish rates and practices for gas service.

Public hearing(s) will be held at: 10:00 a.m. (Evidentiary Hearing)*, May 4, 2015 and continuing daily as needed at Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY.

*On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Cases 14-E-0493 and 14-G-0494.

Interpreter Service: Interpreter services will be made available to hearing impaired persons, at no charge, upon written request submitted within reasonable time prior to the scheduled public hearing. The written request must be addressed to the agency representative designated in the paragraph below.

Accessibility: All public hearings have been scheduled at places reasonably accessible to persons with a mobility impairment.

Substance of proposed rule: The Commission is considering a proposal filed by Orange and Rockland Utilities, Inc. (Orange and Rockland or the Company) to increase the Company's gas delivery revenues for the rate year ending October 31, 2016 by \$40.7 million, which is approximately a 35.1% increase in delivery revenues (or about a 19.1% increase in an average residential customers' total monthly bill). In its proposed filing, Orange and Rockland states the primary drivers for the rate filing are increased property taxes and additional gas infrastructure investment. The statutory suspension period for the proposed filing runs through October 30, 2015, however, Orange and Rockland requests that the rates become effective on November 1, 2015. The Commission may adopt, in whole or in part, modify or reject terms set forth in Orange and Rockland's proposal or other negotiated proposals.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: elaine.agresta@dps.ny.gov

Data, views or arguments may be submitted to: Kathleen H. Burgess, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 45 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(14-G-0494SP1)

**PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED**

Whether to Order a Remand Regarding Payphone Rates

I.D. No. PSC-07-15-00006-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering whether to approve, modify or reject, in whole or in part a Petition to Initiate Remand filed by Independent Payphone Association of N.Y., Inc. and Individual Independent Payphone Providers regarding payphone rates.

Statutory authority: Public Service Law, sections 92 and 97

Subject: Whether to order a remand regarding payphone rates.

Purpose: Whether to order a remand regarding payphone rates and award refunds.

Substance of proposed rule: The Commission is considering whether to approve or reject, in whole or in part, a Petition to Initiate Remand filed by Independent Payphone Association of N.Y., Inc. and Individual Independent Payphone Providers regarding payphone access line rates charged by Verizon New York, Inc. The Commission may also approve or reject, in whole or in part, the relief sought on remand or provide such other and further relief as it deems just and reasonable and/or required by law. In making its determination the Commission expects to consider the decisions of the New York Supreme Court Albany County in *In the Matter of Indep. Payphone Ass'n of N.Y., Inc. v. PSC*, 2002 N.Y. Misc. LEXIS 2090 (N.Y. Sup. Ct. July 31, 2002) and the New York Appellate Division Third Department in *IPANY v. PSC*, 5 A.D.3d 960 (2004) as well as the decision of the Federal Communications Commission in CC Docket No. 96-128, *In the Matter of Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, Declaratory Ruling and Order, 28 FCC Rcd. 2615.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website <http://www.dps.ny.gov/f96dir.htm>. For questions, contact: Elaine Agresta, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2660, email: Elaine.Agresta@dps.ny.gov

Data, views or arguments may be submitted to: Kathleen H. Burgess, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 45 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(15-C-0029SP1)

**Department of Taxation and
Finance**

NOTICE OF ADOPTION

Filing Requirements for Farm Distilleries Under Article 18 of the Tax Law

I.D. No. TAF-48-14-00003-A

Filing No. 92

Filing Date: 2015-01-30

Effective Date: 2015-02-18

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 60.1 of Title 20 NYCRR.

Statutory authority: Tax Law, sections 171, subdivision First, 429(1) and 436 (not subdivided)

Subject: Filing requirements for farm distilleries under article 18 of the Tax Law.

Purpose: To allow farm distilleries to file annual rather than monthly alcoholic beverage tax returns.

Text or summary was published in the December 3, 2014 issue of the Register, I.D. No. TAF-48-14-00003-A.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Kathleen O'Connell, Department of Taxation and Finance, Office of Counsel, Building 9, WA Harriman Campus, Albany, NY 12227, (518) 530-4153, email: tax.regulations@tax.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2018, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

The agency received no public comment.

**HEARINGS SCHEDULED
FOR PROPOSED RULE MAKINGS**

Agency I.D. No.	Subject Matter	Location—Date—Time
Adirondack Park Agency		
APA-05-15-00006-P	Emergency projects	Adirondack Park Agency, 1133 Rte. 86, Ray Brook, NY—March 4, 2015, 6:00 p.m. Department of Environmental Conservation, 625 Broadway, Rm. 129, Albany, NY—March 5, 2015, 2:00 p.m.
Liquor Authority, State		
LQR-02-15-00002-P	Signage, services and gifts to retailers	State Liquor Authority, 317 Lenox Ave., New York, NY—March 10, 2015, 10:00 a.m.
Long Island Power Authority		
LPA-02-15-00006-P	Provisions of LIPA’s tariff for adjustment to rates and changes of service classifications	Long Island Power Authority, H. Lee Denison Bldg., 100 Veterans Memorial Hwy., Happaage, NY—March 4, 2015, 10:00 a.m. Long Island Power Authority, 333 Earle Ovington Blvd., 4th Fl., Uniondale, NY—March 4, 2015, 2:00 p.m.
People with Developmental Disabilities, Office for		
PDD-02-15-00007-EP	Direct care and clinical compensation payments	Office for People with Developmental Disabilities, 44 Holland Ave., Counsel’s Office Conference Rm., Albany, NY—March 2, 2015, 12:30 p.m. Office for People with Developmental Disabilities, 44 Holland Ave., Counsel’s Office Conference Rm., Albany, NY—March 3, 2015, 12:30 p.m.
PDD-02-15-00008-EP	Updates to SSI offset and SNAP benefit offset	Office for People with Developmental Disabilities, 44 Holland Ave., Counsel’s Office Conference Rm., Albany, NY—March 2, 2015, 11:00 a.m. Office for People with Developmental Disabilities, 44 Holland Ave., Counsel’s Office Conference Rm., Albany, NY—March 3, 2015, 11:00 a.m.
Public Service Commission		
PSC-04-15-00012-P	Disposition of tax refunds and other related matters	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—April 8, 2015, 10:30 a.m. (Evidentiary Hearing)* *On occasion there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 14-G-0503.
PSC-07-15-00005-P	Major electric rate increase filing	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—May 4, 2015 and continuing daily as needed, 10:00 a.m. (Evidentiary Hearing)* *On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Cases 14-E-0493 and 14-G-0494.
PSC-07-15-00007-P	Major gas rate increase filing	Department of Public Service, Three Empire State Plaza, 3rd Fl. Hearing Rm., Albany, NY—May 4, 2015 and continuing daily as needed, 10:00 a.m. (Evidentiary Hearing)*

*On occasion, there are requests to reschedule or postpone evidentiary hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Cases 14-E-0493 and 14-G-0494.

State, Department of

DOS-02-15-00004-EP	Use of truss type, pre-engineered wood or timber construction in residential structures	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—March 2, 2015, 10:00 a.m.
DOS-04-15-00004-EP	Issuance of an order to remedy a violation of the Uniform Code	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—March 20, 2015, 9:00 a.m.
DOS-05-15-00007-EP	Addition of provisions relating to “sparkling devices” to the State Uniform Fire Prevention and Building Code	Department of State, 99 Washington Ave., Rm. 505, Albany, NY—March 24, 2015, 9:00 a.m.

ACTION PENDING INDEX

The action pending index is a list of all proposed rules which are currently being considered for adoption. A proposed rule is added to the index when the notice of proposed rule making is first published in the *Register*. A proposed rule is removed from the index when any of the following occur: (1) the proposal is adopted as a permanent rule; (2) the proposal is rejected and withdrawn from consideration; or (3) the proposal's notice expires.

Most notices expire in approximately 12 months if the agency does not adopt or reject the proposal within that time. The expiration date is printed in the second column of the action pending index. Some notices, however, never expire. Those notices are identified by the word "exempt" in the second column. Actions pending for one year or more are preceded by an asterisk(*).

For additional information concerning any of the proposals listed

in the action pending index, use the identification number to locate the text of the original notice of proposed rule making. The identification number contains a code which identifies the agency, the issue of the *Register* in which the notice was printed, the year in which the notice was printed and the notice's serial number. The following diagram shows how to read identification number codes.

Agency code	Issue number	Year published	Serial number	Action Code
AAM	01	12	00001	P

Action codes: P — proposed rule making; EP — emergency and proposed rule making (expiration date refers to proposed rule); RP — revised rule making

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
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ADIRONDACK PARK AGENCY

APA-05-15-00006-P 03/04/16	Emergency projects	The purpose of the proposed rule is to define when jurisdictional land use and development constitutes an emergency project
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AGRICULTURE AND MARKETS, DEPARTMENT OF

AAM-05-15-00002-P 02/04/16	Incorporation by reference of the 2013 edition of the Grade A Pasteurized Milk Ordinance ("PMO")	To require certain producers, processors and manufacturers of milk and milk products to comply with the 2013 edition of the PMO
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CABLE TELEVISION, COMMISSION ON

*CTV-23-94-00009-P exempt	Rates for basic service and equipment of Adelphia Communications - Aurora system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00010-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Chautauqua system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00011-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Grand Island system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00012-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Riverview system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00030-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island/V-Cable/Shelter Island system	To determine whether the company's rates for basic service and equipment are justified
*CTV-23-94-00035-P	..... exempt	Rates for basic service and equipment of C-TEC Corp. - C-TEC Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00013-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island - Riverhead system	To determine whether the company's rates for basic service and equipment are justified

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CABLE TELEVISION, COMMISSION ON			
*CTV-24-94-00026-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00034-P	..... exempt	Rates for basic service and equipment of Cablevision System Corp. - Long Island/V-Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00037-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - International system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00042-P	..... exempt	Rates for basic service and equipment of Adelphia Communications/Resort system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00043-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Hoosick system	To determine whether the company's rates for basic service and equipment are justified
*CTV-24-94-00051-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Long Island/Great Neck system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00015-P	..... exempt	Rates for basic service and equipment of Selectavision of Cazenovia - Cazenovia system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00021-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - A-R Cable Services-NY, Inc. Lynbrook system	To determine whether the company's rates for basic and equipment are justified
*CTV-25-94-00023-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - Dutchess system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00026-P	..... exempt	Rates for basic service and equipment of Adelphia Communications - Harbor Vue system	To determine whether the company's rates for basic service and equipment are justified
*CTV-25-94-00033-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp. - East Hampton system	To determine whether the company's rates for basic service and equipment are justified
*CTV-27-94-00029-P	..... exempt	Rates for basic service and equipment of Cablevision Systems Corp.-Huntington system	To determine whether the company's rates for basic service and equipment are justified
*CTV-27-94-00031-P	..... exempt	Rates for basic service and equipment of Adelphia Communications-Niagara system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00017-P	..... exempt	Rates for basic service and equipment of Time Warner - ATC - ACC Dryden system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00018-P	..... exempt	Rates for basic service and equipment of Adelphia Communications-Aurora, Chautauqua, Grand Island, Harbor Vue, Hoosick, International, Niagara, Resort and River Valley systems	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00019-P	..... exempt	Rates for basic service and equipment of C-Tec Cable Corp.-C-Tec Cable system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00023-P	..... exempt	Rates for basic service and equipment of United Video Cablevision of New York-Community Cable system	To determine whether the company's rates for basic service and equipment are justified

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CABLE TELEVISION, COMMISSION ON			
*CTV-39-94-00033-P	..... exempt	Rates for basic service and equipment of Simmons Communications-Simmons Cable-Salamanca system	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00035-P	..... exempt	Rates for basic service and equipment of TKR Cable Company-Ramapo, Rockland and Warwick systems	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00037-P	..... exempt	Rates for basic service and equipment of U.S. Cable Corp.-Evangola, Westfield and Tri - County/Arcade systems	To determine whether the company's rates for basic service and equipment are justified
*CTV-39-94-00039-P	..... exempt	Rates for basic service and equipment of Time Warner-Warner Communications/Olean system	To determine whether the company's rates for basic service and equipment are justified
*CTV-45-94-00010-P	..... exempt	Rates for basic service and equipment of Cablevision Industries, Inc.-Genesee/Tri-County/Medina system	To determine whether the company's rates for basic service and equipment are justified
CIVIL SERVICE, DEPARTMENT OF			
CVS-20-14-00003-P	..... 05/21/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-25-14-00003-P	..... 06/25/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00001-P	..... 07/30/15	Jurisdictional Classification	To classify positions in the exempt class and to delete positions from the non-competitive class
CVS-30-14-00002-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00003-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the exempt class and to delete positions from and classify positions in the non-competitive class
CVS-30-14-00004-P	..... 07/30/15	Jurisdictional Classification	To delete and classify positions in the exempt class and to delete and classify positions in the non-competitive class
CVS-30-14-00005-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00006-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00007-P	..... 07/30/15	Jurisdictional Classification	To delete a position from the non-competitive class
CVS-30-14-00008-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00009-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-30-14-00010-P	..... 07/30/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-30-14-00011-P	..... 07/30/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-30-14-00012-P 07/30/15	Jurisdictional Classification	To classify a position in the exempt class

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-30-14-00013-P	07/30/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-14-00005-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00006-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00007-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00008-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00009-P	11/05/15	Jurisdictional Classification	To classify positions in the exempt class
CVS-44-14-00010-P	11/05/15	Jurisdictional Classification	To classify positions in the exempt class
CVS-44-14-00011-P	11/05/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-44-14-00012-P	11/05/15	Jurisdictional Classification	To delete a heading and positions from the exempt class
CVS-44-14-00013-P	11/05/15	Jurisdictional Classification	To delete a position from and classify positions in the exempt class
CVS-44-14-00014-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00015-P	11/05/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-44-14-00016-P	11/05/15	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-44-14-00017-P	11/05/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-44-14-00018-P	11/05/15	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-47-14-00002-P	11/26/15	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-47-14-00003-P	11/26/15	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-47-14-00004-P	11/26/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-47-14-00005-P	11/26/15	Jurisdictional Classification	To classify a position in the exempt class
CVS-47-14-00006-P	11/26/15	Jurisdictional Classification	To delete a subheading and positions from the exempt class
CVS-47-14-00007-P	11/26/15	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-15-00004-P	01/07/16	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-01-15-00005-P	01/07/16	Jurisdictional Classification	To classify a position in the exempt class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-01-15-00006-P	01/07/16	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-15-00007-P	01/07/16	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-01-15-00008-P	01/07/16	Jurisdictional Classification	To delete positions from and classify positions in the exempt class
CVS-01-15-00009-P	01/07/16	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-01-15-00021-P	01/07/16	Jurisdictional Classification	To classify a position in the exempt class
CVS-01-15-00022-P	01/07/16	Jurisdictional Classification	To delete positions from the non-competitive class
CVS-01-15-00023-P	01/07/16	Jurisdictional Classification	To classify a position in the non-competitive class
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-46-14-00001-EP	11/19/15	Empire State Musical and Theatrical Production Tax Credit Program	Establish application procedures for the Empire State Musical and Theatrical Production Tax Credit Program
EDV-03-15-00001-P	01/21/16	Empire State Post Production Tax Credit Program	Establish application procedure for the Empire State Post Production Tax Credit Program
EDUCATION DEPARTMENT			
EDU-08-14-00020-P	02/26/15	Hearings on charges of tenured school employees	To allow, under certain circumstances, tenured teachers and principals to raise as a defense in a section 3020-a hearing that their school district failed to timely implement the Common Core in the 2012-2013 and/or 2013-2014 school years
EDU-19-14-00009-P	05/14/15	Mandatory reporting of information regarding possession, sale, use or manufacture of illegal drugs on school property/functions	To establish a mandatory reporting requirement for school personnel, sanctions for noncompliance, and protection for school personnel who report
EDU-27-14-00013-EP	07/09/15	Elementary and Secondary Education Act (ESEA) Flexibility and school and school district accountability	Conform regulations to State's ESEA Flexibility Waiver Renewal with respect to school and district removal criteria
EDU-48-14-00007-ERP	12/03/15	New York State Common Core Learning Standards (CCLS) in mathematics	To provide additional flexibility in the transition to the Common Core-aligned Regents Examination in Algebra 1
EDU-48-14-00008-P	12/03/15	Field tests for State assessments, alternate assessments and Regents examinations	To clarify that school districts must administer field tests in the schools for which they are assigned
EDU-48-14-00009-P	12/03/15	Professional development requirements for teachers, level III teaching assistants and administrators	To establish professional development requirements for teachers, holders of a level III teaching assistant certificate, and administrators, in language acquisition that specifically addresses the needs of students who are English Language Learners (ELLs)

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EDUCATION DEPARTMENT			
EDU-52-14-00012-P	12/31/15	Local high school equivalency diplomas based upon experimental programs	To extend until 6/30/17 the provision for awarding local high school equivalency diplomas based upon experimental programs
EDU-52-14-00014-EP	12/31/15	Determination of student residency	Clarify requirements on student enrollment, particularly as to procedures for unaccompanied minors and other undocumented youth
EDU-52-14-00015-EP	12/31/15	Profession of Applied Behavior Analysis	To implement Chapter 554 of the Laws of 2013 and Chapter 8 of the Laws of 2014
EDU-52-14-00028-P	12/31/15	Certification requirements for teaching assistants	To provide extensions in one year increments on the validity of a Level II teaching assistant certificate for candidates pursuing citizenship; define "school year"; and eliminate the words "without fee" in the definition of internship certificate
EDU-01-15-00011-P	01/07/16	Epinephrine auto-injectors	Prescribe standards for provision, maintenance, and administration of epinephrine auto-injectors in the event of an emergency
EDU-04-15-00007-P	01/28/16	Use of Department Facilities in the Cultural Education Center	To prescribe standards for the use of Cultural Education Center facilities
EDU-05-15-00008-P	02/04/16	Requirements for teacher certification	To provide teacher candidates with additional flexibility to use the safety net for the teacher performance assessment.(edTPA)
EDU-05-15-00009-P	02/04/16	Tuition Assistance Program	Establishment of standards for a student to regain good academic standing for the purposes of receiving awards under TAP
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-31-14-00006-P	10/14/15	Petroleum Bulk Storage (PBS) and Used Oil Management	To harmonize existing State requirements with overlapping Federal requirements
ENV-31-14-00007-P	10/14/15	Chemical Bulk Storage	To amend existing CBS rule to be at least as stringent as EPA federal rule (40 CFR 280) and include NYS 2008 statutory changes
ENV-41-14-00003-P	10/15/15	Sportfish activities and associated activities	To revise sportfishing regulations & associated activities including the commercial collection, sale and use of baitfish
ENV-47-14-00001-P	11/26/15	The management of coastal sharks	Make state regulations consistent with federal rules and maintain compliance with the ASMFC Interstate FMP for Coastal Sharks
ENV-48-14-00005-P	01/27/16	Water quality standards for Class I and Class SD waters in New York City and Suffolk County	To amend New York's water quality standards for Class I and Class SD waters to meet the "swimmable" goal of the Clean Water Act
ENV-52-14-00027-P	02/09/16	The control of criteria air contaminants and toxic air contaminants from general process air pollution sources	To clearly define the federal and state requirements of the existing Part 212 rule, General Process Emission Sources
ENV-04-15-00006-P	01/28/16	Regulations governing the recreational harvest of winter flounder	Extend the recreational winter flounder fishing open season from April 1 - May 30 to March 1 - December 31

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-07-15-00002-EP	02/18/16	Revised closed season for the harvest and landing of lobster from Lobster Management Area 4 and repeal of mandatory V-notch rule	To implement ASMFC American Lobster Fishery Management Plan Addendum XVII and allow the lobster stock to rebuild
FINANCIAL SERVICES, DEPARTMENT OF			
DFS-29-14-00014-P	07/23/15	Title insurance agents, affiliated relationships, and title insurance business	To implement requirements of Chapter 57 of Laws of NY 2014 re: title insurance agents and placement of title insurance business
DFS-29-14-00015-P	07/23/15	Regulation of the conduct of virtual currency businesses	Regulate retail-facing virtual currency business activity in order to protect New York consumers and users and ensure the safety and soundness of New York licensed providers of virtual currency products and services
DFS-46-14-00013-P	11/19/15	Reports to Central Organization	To remove an outdated references to "PILR" in the title of section 62-2.2
DFS-52-14-00009-P	12/31/15	Independent Dispute Resolution for Emergency Services and Surprise Bills	To establish a dispute resolution process and standards for that process
DFS-04-15-00005-P	01/28/16	Life insurance reserves	To modernize the current regulatory scheme with respect to universal life insurance with secondary guarantee reserves
DFS-07-15-00004-P	02/18/16	Mandatory Underwriting Inspection Requirement for Private Passenger Automobiles	Revise requirements regarding the inspection of private passenger automobiles for physical damage coverage
GAMING COMMISSION, NEW YORK STATE			
SGC-28-14-00006-EP	07/16/15	Implementation of rules pertaining to gaming facility request for application and gaming facility license application	To facilitate a fair and transparent process for applying for a license to operate a gaming facility
GENERAL SERVICES, OFFICE OF			
GNS-36-14-00001-P	09/10/15	Procurement of New York State food products	To provide guidance to State Agencies as to how they procure food
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
HLT-08-14-00001-RP	02/26/15	Physician Assistants and Specialist Assistants	Allows LPAs to prescribe controlled substances (including Schedule II) to patients under the care of the supervising physician
HLT-28-14-00008-P	07/16/15	Immediate Needs for Personal Care Services	To provide for meeting the immediate needs of Medicaid applicants and recipients for personal care services
HLT-28-14-00015-ERP	07/16/15	Rate Rationalization – Intermediate Care Facilities for Persons with Developmental Disabilities	To amend the new rate methodology effective July 1, 2014

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-28-14-00016-ERP	07/16/15	Rate Rationalization for Community Residences/Individualized Residential Alternatives Habilitation and Day Habilitation	To amend the new rate methodology effective July 1, 2014
HLT-29-14-00013-P	07/23/15	Amendment of Certificate of Need (CON) Applications	To eliminate requirement for Public Health & Health Planning Council review of certain types of amendments to CON applications
HLT-31-14-00002-P	08/06/15	Outpatient Services Licensed Under the Mental Hygiene Law	Creates methodology for adjusting provider reimbursement in OPWDD, OHM & OASAS certified clinics based on annual patient visits
HLT-32-14-00001-P	08/13/15	Blood Banks	Update practice standards, reflect changes and provide clarification of reg. provisions for blood banks and transfusion services
HLT-35-14-00002-P	09/03/15	Statewide Health Information Network for New York (SHIN-NY)	To promulgate regulations, consistent with federal law and policies, that govern the Statewide Health Information Network for NY
HLT-36-14-00012-P	09/10/15	Personal Care Services Program (PCSP) and Consumer Directed Personal Assistance Program (CDPAP)	To establish definitions, criteria and requirements associated with the provision of continuous PC and continuous CDPA services
HLT-37-14-00003-RP	09/17/15	Emergency Medical Services	To clarify terminology, eliminate vagueness, address legal statutes/crimes & incorp. modern professional, ethical & moral standards
HLT-39-14-00018-P	10/01/15	Medical Records Access Review Committees (MRARCs)	To designate rather than appoint MRARCs to hear appeals from the denial of access to patient information
HLT-40-14-00016-P	10/08/15	Inpatient Rate for Language Assistance Services	To establish hospital inpatient payment rate to reimburse hospitals for the costs of providing language interpretation services
HLT-40-14-00017-P	10/08/15	Nursing Home (NH) Transfer and Discharge Rights	To clarify requirements governing NH transfers and discharges so that facilities will uniformly comply with federal regulations
HLT-40-14-00018-P	10/08/15	Managed Care Organizations	To lower the contingent reserve requirement applied to the Medicaid Managed Care, Family Health Plus & HIV SNP Programs
HLT-41-14-00002-P	10/15/15	Certificate of Need (CON) Requirements	Simplify CON review requirements for projects involving nonclinical infrastructure, equipment replacement & repair & maintenance
HLT-42-14-00001-P	10/22/15	Audited Financial Statements for Managed Care Organizations	To extend audit and reporting standards to all managed care organizations (MCOs), including PHSPs, HIV SNPs and MLTCPs
HLT-43-14-00001-P	10/29/15	Hospital Observation Services	To amend current observation services provisions to be in compliance with changes in Public Health Law, Section 2805-v
HLT-50-14-00001-P	12/17/15	Transgender Related Care and Services	To authorize Medicaid coverage for transgender related care and services
HLT-52-14-00013-P	12/31/15	Medical Use of Marihuana	To comprehensively regulate the manufacture, sale and use of medical marihuana

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HIGHER EDUCATION SERVICES CORPORATION			
ESC-52-14-00016-P	12/31/15	Default fee	To repeal section 2101.5 of Title 8 of the NYCRR as obsolete
ESC-52-14-00017-P	12/31/15	New York State Math and Science Teaching Incentive Program	To delete an outdated and incorrect reference
ESC-52-14-00018-P	12/31/15	Volunteer Recruitment Service Scholarships Program	To repeal section 2201.11 of Title 8 of the NYCRR as obsolete
ESC-01-15-00003-P	01/07/16	Adjustments to income	To delete incorrect references
LIQUOR AUTHORITY, STATE			
LQR-02-15-00002-P	03/09/16	Signage, Services and Gifts to Retailers	To enact business friendly amendments; eliminate interior sign restrictions; and increase annual dollar limits for advertising
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
LPA-02-15-00006-P	exempt	The provisions of LIPA's Tariff for adjustment to rates and changes of service classifications	To modify and add to the Tariff in order to implement revenue-neutral changes required to maintain the 3-year LIPA rate freeze
LPA-07-15-00003-P	exempt	The rates and charges set forth in LIPA's Tariff for Electric Service	To set rates and charges at the lowest level consistent with sound fiscal and operating practices and safe and adequate service
MENTAL HEALTH, OFFICE OF			
OMH-02-15-00003-P	01/14/16	Clinic Treatment Programs	Amend reimbursement structure for delivery of psychotherapy services; eliminate utilization threshold for court-mandated svcs
OMH-04-15-00002-P	01/28/16	Prevention of Influenza Transmission	Provide clarification and flexible system for documentation
MOTOR VEHICLES, DEPARTMENT OF			
MTV-51-14-00001-P	12/24/15	Colored lights on fire vehicles, ambulances, emergency ambulance service vehicles and county emergency medical service vehicles	To make a technical correction to align the regulation with the statute
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
NIAGARA FALLS WATER BOARD			
NFW-13-14-00006-EP	..... exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-04-15-00015-P	..... 01/28/16	Smoking	To clarify where smoking is prohibited at NFTA locations
PARKS, RECREATION AND HISTORIC PRESERVATION, OFFICE OF			
PKR-06-15-00002-P	..... 02/11/16	Resident Curator Program	To rehabilitate vacant and unused buildings at no cost to the State by leasing the buildings to private individuals
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-02-15-00007-EP	..... 03/08/16	Direct Care and Clinical Compensation Payments	To amend rate-setting for eligible services in order to implement increases in direct care and clinical compensation
PDD-02-15-00008-EP	..... 03/02/16	Updates to SSI offset and SNAP benefit offset	To adjust reimbursement to affected providers for rent and food costs
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	..... exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-01-15-00012-P	..... exempt	Rates for the Sale of Power and Energy	To recover the Authority's Fixed Costs
PAS-01-15-00013-P	..... exempt	Rates for the Sale of Power and Energy	To align rates and costs
PUBLIC SERVICE COMMISSION			
*PSC-28-97-00032-P	..... exempt	General service by Central Hudson Gas & Electric Corporation	To limit certain special provisions
*PSC-34-97-00009-P	..... exempt	Collection agency fees by Consolidated Edison Company of New York, Inc.	To pass collection agency fees on to the customer
*PSC-04-98-00015-P	..... exempt	Interconnection service overcharges by Niagara Mohawk Power Corporation	To consider a complaint by Azure Mountain Power Co.
*PSC-19-98-00008-P	..... exempt	Call forwarding by CPU Industries Inc./MKL Net, et al.	To rehear the petition
*PSC-02-99-00006-EP	..... exempt	Intralata freeze plan by New York Telephone Company	To approve the plan
*PSC-09-99-00012-P	..... exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	..... exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-50-99-00009-P	..... exempt	Retail access uniform business practices by The Brooklyn Union Gas Company and KeySpan Gas East Corporation d/b/a Brooklyn Union of Long Island	To approve a joint petition requesting a waiver extension of a requirement set forth in the commission's order
*PSC-52-99-00006-P	..... exempt	Wide area rate center calling	To implement number conservation measures
*PSC-12-00-00001-P	..... exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-14-00-00004-EP	..... exempt	NXX code in the 716 NPA by Broadview Networks	To assign an NXX code in Buffalo
*PSC-14-00-00026-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Media Log, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00027-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and Pilgrim Telephone, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-14-00-00029-P	..... exempt	Interconnection agreement between New York Telephone Company d/b/a Bell Atlantic-New York and CoreComm New York, Inc.	To review the terms and conditions of the negotiated agreement
*PSC-16-00-00012-P	..... exempt	Termination of local telecommunications traffic by Hyperion Communications of New York, Inc.	To determine appropriate compensation levels
*PSC-21-00-00007-P	..... exempt	Initial tariff schedule by Drew Road Association	To set forth the rates, charges, rules and regulations
*PSC-31-00-00026-P	..... exempt	Water service by Windover Water Works	To abandon the water system
*PSC-33-00-00010-P	..... exempt	Electric rate and restructuring plan by Rochester Gas and Electric Corporation	To evaluate possible modifications
*PSC-36-00-00039-P	..... exempt	Steam increase by Consolidated Edison Company of New York, Inc.	To provide for an annual increase in the first year of a proposed four-year rate plan
*PSC-37-00-00001-EP	..... exempt	Interruptible gas customers	To ensure customers have an adequate supply of alternative fuel available
*PSC-39-00-00004-P	..... exempt	Blockable central office codes by PaeTec Communications, Inc.	To review the commission's requirements for assignment of numbering resources
*PSC-44-00-00014-P	..... exempt	Recovery of costs through adjustment mechanisms by Consolidated Edison Company of New York, Inc.	To permit the recovery of certain costs
*PSC-49-00-00007-P	..... exempt	Gas sales and purchases by Corning Natural Gas Corporation	To determine whether certain gas sales and purchases were in the public interest and whether customers should bear the resulting costs
*PSC-01-01-00023-P	..... exempt	Installation, maintenance and ownership of service laterals by Rochester Gas and Electric Corporation	To update and clarify the provisions
*PSC-06-01-00009-P exempt	Uniform system of accounts by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred

Action Pending Index

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-01-00001-P	..... exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-13-01-00002-P	..... exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-13-01-00003-P	..... exempt	Request for accounting authorization by Rochester Gas and Electric Corporation	To defer an item of expense beyond the end of the year in which it was incurred
*PSC-15-01-00012-P	..... exempt	Transfer of a controlling leasehold interest by Huntley Power LLC	To approve the transfer
*PSC-22-01-00006-P	..... exempt	Con Edison's phase 4 plan for retail access by AES Energy, Inc.	To review the request for rehearing
*PSC-26-01-00012-P	..... exempt	Interconnection of networks between Sprint PCS and Verizon New York Inc.	To review the terms and conditions of the negotiated agreement
*PSC-36-01-00010-P	..... exempt	Competitive metering by eBidenergy.com	To clarify meter ownership rules and requirements
*PSC-44-01-00005-P	..... exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-01-02-00007-P	..... exempt	Accounting and rate treatment of proceeds by Consolidated Edison Company of New York, Inc.	To consider proceeds from sale of nuclear generating facilities
*PSC-05-02-00005-P	..... exempt	Uniform system of accounts by Consolidated Edison Company of New York, Inc.	To defer expenditures incurred in connection with emergency response services affected by the World Trade Center disaster
*PSC-06-02-00015-P	..... exempt	Network reliability performance mechanism by Consolidated Edison Company of New York, Inc.	To earn rewards for meeting the targets of the network reliability performance mechanism
*PSC-07-02-00032-P	..... exempt	Uniform business practices	To consider modification
*PSC-29-02-00014-P	..... exempt	Financing by Valley Energy, Inc.	To issue a note and allocate costs
*PSC-49-02-00021-P	..... exempt	Requests for lightened regulation by PSEG Power Bellport, LLC	To consider the company's request
*PSC-08-03-00009-P	..... exempt	Provision of gas service to World Kitchen Incorporated	To establish terms and conditions
*PSC-09-03-00012-P	..... exempt	Incremental service line installations by New York State Electric & Gas Corporation	To revise the current flat rate per foot charged
*PSC-09-03-00014-P	..... exempt	Deferral accounting by Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc.	To defer expense items beyond the end of the year(s) in which they were incurred
*PSC-11-03-00012-P	..... exempt	Economic development plan by New York State Electric & Gas Corporation	To consider the plan
*PSC-18-03-00004-P	..... exempt	Lightened regulation by East Hampton Power and Light Corporation (EHPLC)	To provide for lightened regulation and grant financing approval

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-03-00020-P	..... exempt	Inter-departmental gas pricing by Consolidated Edison Company of New York, Inc.	To revise the method used in steam and steam-electric generating stations
*PSC-32-03-00020-P	..... exempt	Issuance of debt and approval of surcharge by Rainbow Water Company	To approve necessary financing
*PSC-34-03-00019-P	..... exempt	Issuance of securities by KeySpan East Corporation d/b/a KeySpan Energy Delivery Long Island	To obtain authorization to issue securities
*PSC-35-03-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and MCIMetro Access Transmission Services LLC	To amend the agreement
*PSC-36-03-00010-P	..... exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-39-03-00013-P	..... exempt	Complaint by State University of New York (SUNY) regarding a NYSEG operating agreement	To consider the complaint
*PSC-40-03-00015-P	..... exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00008-P	..... exempt	Lightened regulation by Sterling Power Partners, L.P.	To consider granting lightened regulation
*PSC-41-03-00010-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-42-03-00005-P	..... exempt	Interest rate by the Bath Electric, Gas, and Water Systems	To use an alternate interest rate
*PSC-43-03-00036-P	..... exempt	Merchant function backout credit and transition balancing account by KeySpan Gas East Corporation	To continue the credit and account until May 31, 2005
*PSC-43-03-00037-P	..... exempt	Merchant function backout credit and transition balancing account by The Brooklyn Union Gas Company	To continue the credit and account until May 31, 2005
*PSC-44-03-00009-P	..... exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates
*PSC-47-03-00024-P	..... exempt	Lightened regulation and financing approval by Medford Energy LLC	To consider the requests
*PSC-02-04-00008-P	..... exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	..... exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	..... exempt	Temporary protective order	To consider adopting a protective order

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-10-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	..... exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	..... exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	..... exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	..... exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	..... exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	..... exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	..... exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	..... exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	..... exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	..... exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	..... exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	..... exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	..... exempt	Accounts receivable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts receivable
*PSC-46-04-00012-P	..... exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	..... exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	..... exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-09-05-00009-P	..... exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	..... exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	..... exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	..... exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	..... exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	..... exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	..... exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	..... exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	..... exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	..... exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	..... exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	..... exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	..... exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	..... exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	..... exempt	Hourly pricing by National Grid	To assess the impacts
*PSC-22-06-00020-P	..... exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	..... exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	..... exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	..... exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-24-06-00005-EP	..... exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	..... exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	..... exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	..... exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-39-06-00018-P	..... exempt	Order establishing rate plan by Central Hudson Gas & Electric Corporation and the Consumer Protection Board	To consider the petitions for rehearing
*PSC-39-06-00019-P	..... exempt	Investigation of Richard M. Osborne by Corning Natural Gas Corporation	To determine the interests, plans and commitments that will be in place if he is successful in blocking the merger of Corning Gas and C&T Enterprises
*PSC-39-06-00022-P	..... exempt	Uniform business practices and related matters by U.S. Energy Savings Corporation	To establish a contest period
*PSC-40-06-00005-P	..... exempt	Orion Integral automatic meter reading transmitter by New York State Electric and Gas Corporation	To permit gas utilities in NYS to use the Badger Meter Incorporated Orion Integral transmitters
*PSC-42-06-00011-P	..... exempt	Submetering of electricity by 225 5th LLC	To submeter electricity at 255 Fifth Ave., New York, NY
*PSC-43-06-00014-P	..... exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-44-06-00014-P	..... exempt	Electric power outages in Northwest Queens by Consolidated Edison Company of New York, Inc.	To review the terms and conditions of the agreement
*PSC-45-06-00007-P	..... exempt	Alleged failure to provide electricity by Robert Andrews	To assess validity of allegations and appropriateness of fines
*PSC-01-07-00031-P	..... exempt	Enforcement mechanisms by National Fuel Gas Distribution Corporation	To modify enforcement mechanisms
*PSC-04-07-00012-P	..... exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	..... exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	..... exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-11-07-00011-P	..... exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	..... exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	..... exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	..... exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing
*PSC-21-07-00007-P	..... exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	..... exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	..... exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	..... exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	..... exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	..... exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	..... exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	..... exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	..... exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	..... exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	..... exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	..... exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	..... exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-08-00016-P	..... exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	..... exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	..... exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	..... exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	..... exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition
*PSC-23-08-00008-P	..... exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-23-08-00009-P	..... exempt	The transfer of certain real property with an original cost under \$100,000 in the Town of Throop	To consider the filing for the transfer of certain real property in the Town of Throop
*PSC-25-08-00007-P	..... exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	..... exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	..... exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	..... exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	..... exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	..... exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	..... exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	..... exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	..... exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	..... exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-43-08-00014-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	..... exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	..... exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	..... exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	..... exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas
*PSC-48-08-00008-P	..... exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	..... exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	..... exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	..... exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	..... exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	..... exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	..... exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	..... exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	..... exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	..... exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-05-09-00009-P	..... exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	..... exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	..... exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	..... exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	..... exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York
*PSC-12-09-00010-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	..... exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	..... exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	..... exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	..... exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	..... exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commercial accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	..... exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	..... exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	..... exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	..... exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-09-00012-P	..... exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	..... exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	..... exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	..... exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	..... exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program
*PSC-22-09-00011-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	..... exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	..... exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	..... exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	..... exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	..... exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	..... exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p
*PSC-29-09-00006-P	..... exempt	Petition for the submetering of electricity at a residential senior citizen facility	To consider the request of Shinda Management Corp. to submeter electricity at 107-37 166th Street, Jamaica, New York
*PSC-29-09-00011-P	..... exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-30-09-00010-P	..... exempt	Additional funding for interim gas energy efficiency programs currently being implemented by Niagara Mohawk	To fund the continued operation of Niagara Mohawk's interim gas energy efficiency programs through October 31, 2009
*PSC-32-09-00009-P	..... exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	..... exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-09-00017-P	..... exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	..... exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	..... exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	..... exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	..... exempt	Modifications to the \$5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income \$5 Bill Credit Program
*PSC-39-09-00018-P	..... exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	..... exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs
*PSC-51-09-00029-P	..... exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	..... exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	..... exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	..... exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to \$50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	..... exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	..... exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	..... exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	..... exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	..... exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-11-10-00011-P	..... exempt	Niagara Mohawk's EEPS "Fast Track" Residential Electric HVAC Program	To encourage cost effective electric energy conservation in the State
*PSC-12-10-00015-P	..... exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	..... exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	..... exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	..... exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	..... exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	..... exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices
*PSC-19-10-00022-P	..... exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	..... exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	..... exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	..... exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-25-10-00015-P	..... exempt	To allow NYWC to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2009	Consideration of NYWC's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2009
*PSC-27-10-00016-P	..... exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-31-10-00007-P	..... exempt	Waiver of the Attachment 23 requirement in 2001 Rate Order that NMPC Board of Directors consist of "outside directors"	To consider the waiver of the requirement that a majority of NMPC Board of directors consist of "outside directors"
*PSC-31-10-00008-P	..... exempt	KEDNY's Interim Low Income Energy Efficiency Program	Consideration of KEDNY's request for approval of costs related to large multifamily energy efficiency services

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-31-10-00009-P	..... exempt	KEDLI's Interim Low Income Energy Efficiency Program	Consideration of KEDLI's request for approval of costs related to low income large multifamily energy efficiency services
*PSC-34-10-00003-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	..... exempt	Approval of a contract for \$250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of \$250,000 for tank repairs
*PSC-34-10-00006-P	..... exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	..... exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	..... exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	..... exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	..... exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	..... exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	..... exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	..... exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group
*PSC-44-10-00003-P	..... exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-50-10-00005-P	..... exempt	Metered gas deliveries and lost and unaccounted for gas	To allow BEGWS to recover a refund from Corning for overcharges of gas deliveries
*PSC-51-10-00018-P	..... exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	..... exempt	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and \$1.4 million of revenues derived from the rendition of public service
*PSC-12-11-00008-P	..... exempt	To allow NYWC to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2010	Consideration of NYWC's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2010

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-13-11-00005-P	..... exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-13-11-00007-P	..... exempt	Budget allocations and use of System Benefits Charge funds to pay State Cost Recovery Fee	To encourage cost effective gas and electric energy conservation in the State
*PSC-14-11-00009-P	..... exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-16-11-00010-P	..... exempt	The Energy Efficiency Portfolio Standard	To promote gas and electricity energy conservation programs in New York
*PSC-16-11-00011-P	..... exempt	The Energy Efficiency Portfolio Standard	To promote gas and electricity energy conservation programs in New York
*PSC-19-11-00007-P	..... exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	..... exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	..... exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	..... exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-23-11-00018-P	..... exempt	NYSERDA's energy efficiency program for low-income customers	To promote energy conservation in New York State
*PSC-26-11-00007-P	..... exempt	Water rates and charges	To approve an increase in annual revenues by about \$25,266 or 50%
*PSC-26-11-00009-P	..... exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	..... exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	..... exempt	Petition requesting the Commission reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-33-11-00017-P	..... exempt	Petition for the submetering of electricity	To consider the request of 56-7th Avenue LLC to submeter electricity at 56-7th Avenue, New York, New York
*PSC-35-11-00011-P	..... exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements

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Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-38-11-00002-P	..... exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	..... exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison
*PSC-40-11-00010-P	..... exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	..... exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	..... exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	..... exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	..... exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	..... exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	..... exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-51-11-00010-P	..... exempt	The Total Resource Cost (TRC) test, used to analyze measures in the Energy Efficiency Portfolio Standard program	Petitioners request that the TRC test and/or its application to measures should be revised
*PSC-52-11-00017-P	..... exempt	Reparations and refunds	Reparations and refunds
*PSC-01-12-00007-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	..... exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	..... exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	..... exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	..... exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	..... exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-12-00007-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-17-12-00008-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-17-12-00009-P	..... exempt	Whether a proposed agreement for the provision of water service by Saratoga Water Services, Inc. is in the public interest	Whether the Commission should issue an order approving the proposed provision of water service
*PSC-19-12-00019-P	..... exempt	EEPS programs administered by New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation	To modify the C&I sector by combining multiple approved C&I programs into a single C&I program for each PA
*PSC-19-12-00022-P	..... exempt	Approval of a combined heat and power performance program funding plan administered by NYSERDA	Modify NYSERDA's EEPS programs budget and targets to fund the CHP program
*PSC-19-12-00023-P	..... exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than \$100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	..... exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	..... exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47
*PSC-23-12-00005-P	..... exempt	EEPS multifamily programs administered by Consolidated Edison Company of New York, Inc.	To redesign the multifamily electric and gas programs and modify the budgets and targets
*PSC-23-12-00007-P	..... exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	..... exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	..... exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	..... exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	..... exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	..... exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-35-12-00014-P	..... exempt	To implement an abandonment of White Knight's water system	To approve the implementation of abandonment of White Knight's water system
*PSC-37-12-00009-P	..... exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00007-P	..... exempt	Petition for the submetering of electricity	To consider the request of 215 West 91st Street Corp. to submeter electricity at 215 West 91st Street, New York, New York
*PSC-42-12-00009-P	..... exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	..... exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	..... exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	..... exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	..... exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	..... exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	..... exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	..... exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information
*PSC-08-13-00014-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	..... exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	..... exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-14-13-00005-P	..... exempt	Recovery of incremental expense.	To consider petition for recovery of incremental expense.
*PSC-17-13-00008-P	..... exempt	Provision of historical utility pricing information for comparison purposes for residential ESCO customers	Provision of historical utility pricing information for comparison purposes for residential ESCO customers
*PSC-17-13-00010-P	..... exempt	Provision of historical pricing information for comparison purposes for residential ESCO customers	Provision of historical pricing information for comparison purposes for residential ESCO customers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-13-00007-P	..... exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-20-13-00008-P	..... exempt	Relief of the exhausting 315 Area Code	To reinstate the relief process for the 315 area code region beyond 2015
*PSC-21-13-00003-P	..... exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	..... exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	..... exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	..... exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	..... exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	..... exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-24-13-00009-P	..... exempt	Repowering options for the Cayuga generating station located in Lansing, New York, and alternatives	To establish whether utility plans should include repowering options for the Cayuga generating station, or other alternatives
*PSC-24-13-00010-P	..... exempt	Repowering options for the Dunkirk generating station located in Dunkirk, New York, and alternatives	To establish whether utility plans should include repowering options for the Dunkirk generating station, or other alternatives
*PSC-25-13-00008-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	..... exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00011-P	..... exempt	Waiver of certain Commission requirements related to provision of customer information to credit reporting agencies.	To waive a utility's right to provide information to credit reporting agencies related to customers' payment histories.
*PSC-25-13-00012-P	..... exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	..... exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-28-13-00016-P	..... exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.
*PSC-28-13-00017-P	..... exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	..... exempt	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices
*PSC-32-13-00010-P	..... exempt	Permission to write off and eliminate record keeping for regulatory reserves for Pensions and Other Post Retirement Benefits	To allow write off and eliminate record keeping of Pension and Other Post Retirement Benefits Reserves
*PSC-32-13-00012-P	..... exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	..... exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	..... exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	..... exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-37-13-00007-P	..... exempt	Dissolution of Garrow Water Works Company, Inc..	To allow for the dissolution of Garrow Water Works Company, Inc.
*PSC-39-13-00010-P	..... exempt	NY-Sun initiative within the Customer-Sited Tier of the RPS Program.	To increase the statewide adoption of customer sited photovoltaic solar generation through the NY-Sun Initiative.
*PSC-42-13-00013-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	..... exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	..... exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	..... exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-45-13-00025-P	..... exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-46-13-00007-P	..... exempt	Whether to permit the use of the GE/Dresser ES3 Index Assembly for use in commercial and industrial gas meter applications.	To permit gas utilities in New York State to use the GE/Dresser ES3 Index Assembly.
*PSC-47-13-00009-P	..... exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	..... exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	..... exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.
*PSC-51-13-00009-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	..... exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	..... exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	..... exempt	To enter into a loan agreement with the banks for up to an amount of \$94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-01-14-00017-P	..... exempt	Residential Time-of-Use Rates	To establish residential optional time of use delivery and commodity rates
*PSC-03-14-00009-P	..... exempt	disposition of tax refunds and other related matters	to determine the disposition of tax refunds and other related matters
*PSC-04-14-00005-P	..... exempt	National Fuel Gas Corporation's Conservation Incentive Programs.	To modify National Fuel Gas Corporation's Non-Residential Conservation Incentive Program.
*PSC-05-14-00010-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
PSC-07-14-00008-P	..... exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
PSC-07-14-00012-P	..... exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-08-14-00015-P	..... exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality and the Customer Trouble Report Rate levels at certain central office entities
PSC-10-14-00006-P	..... exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
PSC-11-14-00003-P	..... exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
PSC-12-14-00007-P	..... exempt	Transfer of water supply assets.	Transfer the water supply assets of Yellow Barn Water Company, Inc. to the Town of Dryden.
PSC-14-14-00016-P	..... exempt	Whether to permit the use of the Leviton Series 8000 electric submeter.	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the Leviton Series 8000 electric submeter.
PSC-16-14-00014-P	..... exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
PSC-16-14-00015-P	..... exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
PSC-16-14-00016-P	..... exempt	Waiver of Commission regulations governing termination of service.	Consider United Water New York Inc.'s proposal to expand termination of service provisions.
PSC-17-14-00003-P	..... exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
PSC-17-14-00004-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
PSC-17-14-00005-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
PSC-17-14-00006-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
PSC-17-14-00007-P	..... exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification
PSC-17-14-00008-P	..... exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
PSC-19-14-00014-P	..... exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
PSC-19-14-00015-P	..... exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
PSC-19-14-00018-P	..... exempt	Uniform System of Accounts, deferral of an expense item	Authorization of a deferral for an expense item beyond the end of the year in which it was incurred

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-20-14-00011-P	..... exempt	Petitioners request an order approving enhanced benefits under the Renewable Portfolio Standard Program.	To enable continued operation of a 51 MW biomass fueled electric generating facility in Niagara Falls, New York.
PSC-22-14-00013-P	..... exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
PSC-23-14-00010-P	..... exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
PSC-23-14-00012-P	..... exempt	Whether to permit the use of the Elster Instromet Q.Sonic Plus Ultrasonic meter for use in industrial gas meter applications	To permit gas utilities in New York State to use the Elster Instromet Q.Sonic Plus Ultrasonic gas meter
PSC-23-14-00014-P	..... exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
PSC-24-14-00004-P	..... exempt	Approval of asset transfer.	To allow or disallow transfer of assets from Heritage Hills Water Works Corp. to Community Utilities of New York, Inc.
PSC-24-14-00005-P	..... exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
PSC-25-14-00014-P	..... exempt	Whether to permit the use of the SATEC Branch Feeder Monitor BFM-136 electric submeter	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the SATEC Branch Feeder Monitor BFM electric submeter
PSC-25-14-00015-P	..... exempt	Surcharges related to the System Benefits Charge, Energy Efficiency Portfolio Standard, Retail Renewable Portfolio Standard	To reduce the public benefit surcharge applicable to large industrial, commercial and institutional energy consumers
PSC-26-14-00010-P	..... exempt	Petitioner requests an order authorizing its participation in the next Main Tier solicitation offered under the RPS Program.	To enable continued operation of a 21 MW biomass fueled electric generating facility in Chateaugay, New York.
PSC-26-14-00012-P	..... exempt	The Commission's framework for regulating utilities and methods of ratemaking will be revised.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.
PSC-26-14-00013-P	..... exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.
PSC-26-14-00014-P	..... exempt	The New York State Reliability Council's revisions to its rules and measurements.	To adopt revisions to various rules and measurements of the New York State Reliability Council.
PSC-26-14-00015-P	..... exempt	Whether to order natural gas distribution companies to expand their public education programs.	To improve gas safety by ordering natural gas distribution companies to expand their public education programs.
PSC-26-14-00016-P	..... exempt	The Commission's regulatory framework will be revised to create a flexible platform for new energy products and services.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.
PSC-26-14-00017-P	..... exempt	Existing ratemaking and rate design practices will be revised with a focus on outcomes and incentives.	To use the Commission's ratemaking authority to foster a DER-intensive system.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-26-14-00018-P	..... exempt	Rules regarding ownership and/or operation of the DSPPs will be created.	To best enable system-wide efficiency and market-based deployment of distributed energy resources and load management.
PSC-26-14-00019-P	..... exempt	Prohibitions or restrictions regarding the DSPPs ownership of DER will be created.	To protect against abuses associated with imbalances in market power.
PSC-26-14-00020-P	..... exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.
PSC-26-14-00021-P	..... exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
PSC-28-14-00014-P	..... exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
PSC-30-14-00019-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
PSC-30-14-00020-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
PSC-30-14-00021-P	..... exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company deferred accounting treatment for expenses related to the change in corporate leadership.
PSC-30-14-00023-P	..... exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
PSC-30-14-00025-P	..... exempt	Allocation of uncommitted Technology and Market Development Funds to the Combined Heat & Power Performance Program.	To consider allocation of uncommitted Technology & Market Development Funds to the Combined Heat & Power Performance Program.
PSC-30-14-00026-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
PSC-31-14-00004-P	..... exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
PSC-32-14-00009-P	..... exempt	Refueling options for the Dunkirk generating station located in Dunkirk, New York, and alternatives	To address the joint petition for rehearing of the Commission's Order related to refueling the Dunkirk generating station
PSC-32-14-00010-P	..... exempt	Petition for rehearing and/or clarification of the Order Establishing Rates, issued in Case 13-W-0295	to consider the petition for rehearing and/or clarification filed by the Municipal Consortium
PSC-32-14-00012-P	..... exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
PSC-32-14-00013-P	..... exempt	Petition for submetering of electricity	To consider the request of 1 John Street LLC to submeter electricity at 1 John Street, Brooklyn, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-32-14-00015-P	..... exempt	Revisions to modify and clarify provisions related to electric generators taking transportation service under SC Nos. 7 and 14	To modify and clarify provisions related to electric generators taking transportation service under SC Nos. 7 and 14
PSC-32-14-00017-P	..... exempt	Transfer of Franchise or stocks and Issuance of Securities	To allow or disallow the merger of United Water Resources and United Water Mid-Atlantic Inc into United Water Works
PSC-32-14-00018-P	..... exempt	Modifications to provisions related to electric generators and cogeneration facilities	Revisions related to electric generators and cogeneration facilities and align KEDNY's tariff provisions with those of KEDLI
PSC-34-14-00006-P	..... exempt	Authorization of long-term loan	To allow or disallow Forever Wild Water Company to enter into long-term loan agreement.
PSC-34-14-00009-P	..... exempt	Whether to approve the Quadlogic S10N residential submeter.	Approval of the Quadlogic S10N Smart Meter for use in residential electric submetering is required by 16 NYCRR Parts 93 and 96.
PSC-35-14-00004-P	..... exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
PSC-35-14-00005-P	..... exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter
PSC-35-14-00006-P	..... exempt	Minor electric rate filing	For approval to increase annual revenues by about \$135,554 or 27.8%
PSC-35-14-00008-P	..... exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$264,166 or 25%	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$264,166 or 25%
PSC-36-14-00008-P	..... exempt	The Commission's regulatory framework will be revised to create a flexible platform for new energy products and services.	To allow energy efficiency and other distributed resources to take a primary role in the planning and operation of the grid.
PSC-36-14-00009-P	..... exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
PSC-36-14-00010-P	..... exempt	The procurement of Main Tier renewable resources will become the responsibility of the State's electric utilities.	To ensure the development of large-scale renewables in New York State to promote fuel diversity and reduce carbon emissions.
PSC-36-14-00011-P	..... exempt	To defer pension settlement losses associated with retirements in the year ended March 31, 2014.	To resolve the ratemaking of the pension settlement loss.
PSC-38-14-00003-P	..... exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
PSC-38-14-00004-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
PSC-38-14-00005-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-38-14-00007-P	..... exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
PSC-38-14-00008-P	..... exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
PSC-38-14-00009-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
PSC-38-14-00010-P	..... exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
PSC-38-14-00012-P	..... exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
PSC-38-14-00018-P	..... exempt	New electric utility demand response tariffs may be adopted.	To develop mature DER markets by enabling the development and use of DR as an economic system resource.
PSC-38-14-00019-P	..... exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$18,356 or 17.8%.	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$18,356 or 17.8%.
PSC-38-14-00020-P	..... exempt	Various tariff revisions to the rates, charges, rules and regulations.	For approval to make various tariff revisions to P.S.C. No. 4 - Steam.
PSC-38-14-00021-P	..... 09/24/15	Service lines, leakage surveys, testing req'ts., MAOP, odorization, 16 NYCRR §§ 255.3(29); 255.723; 255.507; 255.619, 255.625.	To align State gas safety rules with federal gas safety requirements.
PSC-39-14-00012-P	..... exempt	Minor electric rate filing.	For approval to increase total annual revenues by about \$300,000 or 8.1%.
PSC-39-14-00014-P	..... exempt	Whether to permit the use of the SATEC EM133 electric submeter.	Pursuant to 16 NYCRR Parts 93 and 96, is necessary to permit the use of the SATEC EM133 electric submeter.
PSC-39-14-00020-P	..... exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
PSC-40-14-00008-P	..... exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
PSC-40-14-00009-P	..... exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
PSC-40-14-00011-P	..... exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
PSC-40-14-00013-P	..... exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-40-14-00014-P	..... exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
PSC-40-14-00015-P	..... exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
PSC-41-14-00009-P	..... exempt	Establishment of a Clean Energy Fund and related actions	Consideration of proposal by NYSERDA for the establishment of a Clean Energy Fund and related actions
PSC-41-14-00010-P	..... exempt	Reallocation of EEPS and SBC funds	Consideration of proposal by NYSERDA for reallocation of EEPS and SBC funds
PSC-41-14-00011-P	..... exempt	Establishment of annual collections caps and collection and spending mechanisms as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the establishment of annual collections caps and collection and spending mechanisms
PSC-41-14-00012-P	..... exempt	Funding and management of the NY-Sun program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of the NY-Sun program
PSC-41-14-00013-P	..... exempt	Funding and management of the New York Green Bank as described in the Clean Energy Fund Proposal and NY Green Bank Petition	Consideration of proposal by NYSERDA for the funding and management of the New York Green Bank
PSC-41-14-00014-P	..... exempt	Funding and management of a Market Development program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of a Market Development program
PSC-41-14-00015-P	..... exempt	Funding and management of a Technology and Business Innovation program as described in the Clean Energy Fund Proposal	Consideration of proposal by NYSERDA for the funding and management of a Technology and Business Innovation program
PSC-41-14-00016-P	..... exempt	Inter-carrier telephone service quality standards and metrics	To review recommendations from the Carrier Working Group and incorporate modifications to the existing Guidelines
PSC-42-14-00003-P	..... exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
PSC-42-14-00004-P	..... exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
PSC-44-14-00020-P	..... exempt	LDC inspection and remediation plans for plastic fusions	Whether to order LDCs to comply with their filed plans that address any safety risks associated with plastic fusions
PSC-44-14-00021-P	..... exempt	Define incremental cost of gas	To define the incremental cost of gas and to streamline the Definitions and Abbreviations section
PSC-44-14-00023-P	..... exempt	Petition for rehearing filed by West Valley Crystal Water Company, Inc. on October 9, 2014	Petition for rehearing filed by West Valley Crystal Water Company, Inc. on October 9, 2014
PSC-45-14-00002-P	..... exempt	Proposed Public Policy Transmission Needs/ Public Policy Requirements, as defined under the NYISO tariff	To identify any proposed Public Policy Transmission Needs/Public Policy Requirements for referral to the NYISO

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-45-14-00003-P	..... exempt	Notice of Intent to Submeter electricity	To consider the request of Bedford-Stuyvesant South One LLC to submeter electricity at 27 Albany Avenue, Brooklyn, NY
PSC-45-14-00004-P	..... exempt	Petition for submetering of electricity	To consider the request of C B Frontier LLC, to submeter electricity at 200 East 39th Street, New York, New York
PSC-46-14-00007-P	..... exempt	Modifications to General Rule 17.5 - Requests for Aggregated Company Records.	Modifications to General Rule 17.5 - Requests for Aggregated Company Records.
PSC-46-14-00008-P	..... exempt	Funding and eligibility rules for the Green Bank program as described in the Green Bank Petition.	Consideration of proposal by NYSEDA for the funding and eligibility rule changes for the Green Bank program.
PSC-46-14-00009-P	..... exempt	Continuation of exemptions from standby rates for beneficial forms of distributed generation and small combined heat and power.	To continue the exemptions from standby rates for beneficial forms of distributed generation and small combined heat and power.
PSC-46-14-00010-P	..... exempt	Modifications to General Information Section IV.3(c) - Requests for Aggregated Company Records.	Modifications to General Information Section IV.3(c) - Requests for Aggregated Company Records.
PSC-46-14-00012-P	..... exempt	To consider proposals for changes to the Electronic Data Interchange standards.	To consider proposals for changes to the Electronic Data Interchange standards.
PSC-47-14-00012-P	..... exempt	Consideration of the National Grid Implementation Plan and audit recommendations	To approve, modify or reject, in whole or in part, National Grid's Implementation Plan
PSC-48-14-00010-P	..... exempt	Major gas rate increase filing.	To establish rates and practices for gas service.
PSC-48-14-00011-P	..... exempt	Major electric rate increase filing.	To establish rates and practices for electric service.
PSC-48-14-00012-P	..... exempt	Authority to update its System Improvement Charge (SIC Mechanism).	To allow or disallow New York American Water Company to update its System Improvement Charge (SIC Mechanism).
PSC-48-14-00013-P	..... exempt	Petition for submetering of electricity.	To consider the request of Albee Tower 1 Owners LLC to submeter electricity at 70 Fleet Street, Brooklyn, New York.
PSC-48-14-00014-P	..... exempt	Considering the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
PSC-49-14-00002-P	..... exempt	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program
PSC-51-14-00005-P	..... exempt	Petitioner requests an order modifying its existing maintenance tier contract offered under the RPS Program	To resume operation of a 21 MW biomass fueled electric generating facility in Chateaugay, New York
PSC-51-14-00006-P	..... exempt	The Northeast Power Coordinating Council, Inc's A-Criteria documents and Criteria	To adopt revisions to various rules and measurements of the Northeast Power Coordinating Council, Inc.
PSC-52-14-00019-P	..... exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-52-14-00020-P	..... exempt	The New York State Reliability Council's establishment of an Installed Reserve Margin of 17.0%.	To adopt an Installed Reserve Margin for the Capability Year beginning May 1, 2015, and ending April 30, 2016.
PSC-52-14-00021-P	..... exempt	Requirements and conditions for the net metering of customer-sited generation facilities.	To consider requirements and conditions for the net metering of customer-sited generation facilities.
PSC-52-14-00022-P	..... exempt	Petition for submetering of electricity.	To consider the request of Kingsview Homes, Inc. to submeter electricity at 125 Ashland Place, Brooklyn, New York.
PSC-52-14-00023-P	..... exempt	LDC inspection and remediation plans for plastic fusions.	Whether to order Con Ed and ORU to comply with their filed plans that address any safety risks associated with plastic fusions.
PSC-52-14-00024-P	..... exempt	Distributed Generation (DG), Natural Gas Vehicle (NGV) and Prime-WNY programs.	To extend the DG and NGV programs to March 31, 2018 and for authorization of the Prime-WNY program.
PSC-52-14-00025-P	..... exempt	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$24,000 or 48%.	Whether to approve, modify or reject in whole or in part an increase in annual revenues of approximately \$24,000 or 48%.
PSC-52-14-00026-P	..... exempt	Community Choice Aggregation.	To consider action related to Community Choice Aggregation.
PSC-01-15-00014-P	..... exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
PSC-01-15-00015-P	..... exempt	NYSEG is seeking waivers from certain regulatory requirements contained in an Order issued in Case 14-G-0197 on October 6, 2014	NYSEG is seeking waivers because it cannot certify the existing propane distribution system complies with certain regulations
PSC-01-15-00016-P	..... exempt	State Universal Service Fund Disbursements	To consider Port Byron Telephone Company's request for State Universal Service Fund disbursements
PSC-01-15-00017-P	..... exempt	Reimbursement of costs for construction under 16 NYCRR 230	To determine proper reimbursement for costs related to trenching and construction
PSC-01-15-00018-P	..... exempt	State Universal Service Fund Disbursements	To consider Township Telephone Company's request for State Universal Service Fund disbursements
PSC-01-15-00019-P	..... exempt	Rule 50 - Reliability Support Services (RSS) Surcharge.	To make a clarifying revision to Rule 50 - Reliability Support Services (RSS) Surcharge.
PSC-01-15-00020-P	..... exempt	A Pilot Community Choice Aggregation Program	To consider approval of a Pilot Community Choice Program and customer information transfer
PSC-02-15-00005-P	..... exempt	Approving the 2014 electric emergency response plans for New York's six major electric utilities.	Approving the 2014 electric emergency response plans for New York's six major electric utilities.
PSC-03-15-00002-P	..... exempt	Waiver of tariff provisions related to SC 14 Non-Core Transportation Services for Electric Generation	To determine whether a waiver is warranted

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-03-15-00003-P	..... exempt	To allow residential customers to opt out of AMR metering for gas and make other tariff changes related to gas metering	To allow residential customers to opt out of AMR metering for gas and make other tariff changes related to gas metering
PSC-03-15-00004-P	..... exempt	To allow residential customers a one time election to opt out of AMR metering and make other tariff changes related to metering	To allow residential customers a one time election to opt out of AMR metering and make other changes related to metering
PSC-03-15-00005-P	..... exempt	Minor electric rate filing	For approval to increase annual revenues by about \$300,000 or 17.96%
PSC-04-15-00008-P	..... exempt	Re-billing SC No. 2 customers from March 2008 through March 2014.	To determine whether re-billing SC No. 2 customers by the Companies' proposed methodology customers is appropriate.
PSC-04-15-00009-P	..... exempt	To start and finish construction of distribution and service lines in certain municipalities in Clinton County by dates certain.	To require NYSEG to start and complete construction of distribution and service lines in municipalities in Clinton County.
PSC-04-15-00010-P	..... exempt	To modify the retail access program under SC No. 19 - Seller Transportation Aggregation Service.	To modify the retail access program to implement Tier 2A - Storage Capacity Release and make other tariff changes.
PSC-04-15-00011-P	..... exempt	To modify the retail access program under SC No. 8 - Seller Services.	To modify the retail access program to implement Tier 2A - Storage Capacity Release and make other tariff changes.
PSC-04-15-00012-P	..... exempt	Disposition of tax refunds and other related matters.	To determine the disposition of tax refunds and other related matters.
PSC-04-15-00013-P	..... exempt	Rider L - Direct Load Control Program (DLC) and Residential Smart Appliance Program (RSAP)	To expand the DLC program, replace failed control devices, and to expand the RSAP pilot.
PSC-04-15-00014-P	..... exempt	Request for waiver of 6 NYCRR Part 501 and United Water's tariff provisions governing main extensions.	To grant, deny or modify a petition for a waiver of 6 NYCRR Part 501 and related United Water's tariff provisions.
PSC-05-15-00003-P	..... exempt	Whether to grant, deny or modify in whole or in part the petition of Consolidated Edison for rehearing and clarification	Whether to grant, deny or modify in whole or in part the petition of Consolidated Edison for rehearing and clarification
PSC-05-15-00004-P	..... exempt	Whether to permit the use of the Eaton Power Xpert Multi-Point Meter for submeter applications	Pursuant to 16 NYCRR Parts 93 and 96, the Commission must approve the Eaton Power Xpert Multi-Point for electric submetering
PSC-05-15-00005-P	..... exempt	Cost recovery surcharge and gas safety performance standards	To determine issues related to gas safety surcharge implementation
PSC-06-15-00003-P	..... exempt	Petition for submetering of electricity	To consider the request of City Point Residential LLC, to submeter electricity at 366 Flatbush Avenue Ext, Brooklyn, New York
PSC-06-15-00004-P	..... exempt	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program	Whether to make revisions to Rider S - Commercial System Relief Program and Rider U - Distribution Load Relief Program
PSC-07-15-00005-P	..... exempt	Major electric rate increase filing	To establish rates and practices for electric service
PSC-07-15-00006-P	..... exempt	Whether to order a remand regarding payphone rates	Whether to order a remand regarding payphone rates and award refunds

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-07-15-00007-P	..... exempt	Major gas rate increase filing	To establish rates and practices for gas service
STATE, DEPARTMENT OF			
DOS-41-14-00001-P	..... 10/20/15	Minimum standards for code enforcement training	To establish minimum training standards so as to increase the level of competency and reliability of code enforcement personnel
DOS-02-15-00004-EP	..... 03/01/16	Use of truss type, pre-engineered wood or timber construction in residential structures	To implement the provisions of new section 382-b of the Executive Law, as added by chapter 353 of the Laws of 2014
DOS-04-15-00004-EP	..... 03/19/16	Issuance of an order to remedy a violation of the Uniform Code	Fix the time for compliance with an order to remedy any condition found to exist in buildings in violation of the Uniform Code
DOS-05-15-00007-EP	..... 03/23/16	Addition of provisions relating to “sparkling devices” to the State Uniform Fire Prevention and Building Code	To amend the Uniform Code to provide additional requirements applicable to buildings and structures where “sparkling devices” are manufactured, stored or used and add other restrictions on the use of “sparkling devices”
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-48-14-00002-P	..... exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2015 through March 31, 2015
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-49-14-00001-P	..... 12/10/15	Local Advisory Councils	Repeal the regulatory requirement that social services districts establish and maintain local advisory councils
TDA-49-14-00003-P	..... 12/10/15	Public Assistance Schedules	To update certain public assistance schedules to comply with the schedules in Social Services Law § 131-a
TDA-52-14-00001-P	..... 12/31/15	“Food Stamp Program” renamed “Supplemental Nutrition Assistance Program” (SNAP); Food Assistance Program (FAP) repealed; certain public assistance employment program reporting requirements modified	To render subject State regulations consistent with cited statutory authority and chapter 360 of the Laws of 2003, part C of chapter 57 of the Laws of 2005 and chapter 41 of the Laws of 2012
TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY			
TBA-48-14-00004-P	..... exempt	A proposal to establish a new crossing charge schedule for use of bridges and tunnels operated by TBTA	A proposal to raise additional revenue

RULE REVIEW

Department of Agriculture and Markets Review Of Existing Regulations

Pursuant to Section 207 of the State Administrative Procedure Act (SAPA), notice is hereby provided of the following rules, adopted during calendar years 2000, 2005, and 2010 which the Department of Agriculture and Markets intends to review in 2015. Public comment on the continuation or modification of these regulations will be accepted until June 19, 2015. All Section and Part references are to Title 1 of the New York Code of Rules and Regulations.

Rules adopted in 2000:

Part 6 Sampling and Testing Milk for Component Content.

Statutory Authority: Agriculture and Markets Law Sections 16, 18, 46-a, 56 and 255.

The continuation of this regulation is necessary to retain the procedure for sampling and testing milk to assure that dairy farmers are accurately paid for milk produced by them.

Part 45 Sanitation Requirements for Poultry Dealers and Poultry Transporters.

Statutory Authority: Agriculture and Markets Law sections 16, 18, and 72.

The continuation of this regulation is necessary to retain an effective avian influenza control program by requiring a poultry transporter holding a valid domestic animal health permit who buys or sells poultry to be sold or offered for sale in a live poultry market, or transports poultry to a live poultry market, to have facilities that can be cleaned and disinfected on a year round basis; to use all-season truck or vehicle wash facilities to clean and disinfect trucks or vehicles between uses on a year round basis; and to compile and maintain records of the dates and times that the crates and the trucks or vehicles were cleaned and disinfected. The regulation also clarifies the requirement that the certificate of veterinary inspection remain with the DAHP holder (i.e. poultry dealer or poultry transporter) and the invoice accompanies the poultry to the live poultry market. The Department's avian influenza control program was further strengthened by additional changes to Section 45.6 adopted on January 12, 2014.

Rules adopted in 2005:

There are no regulations subject to review under SAPA § 207.

Rules adopted in 2010:

Section 139 Firewood (All Hardwood Species), Nursery Stock, Logs, Green Lumber, Stumps, Roots, Branches and Debris.

Statutory authority Agriculture and Markets Law, sections 18, 164 and 167.

The continuation of the portion of this regulation controlling the movement of material from the Katsura tree is necessary to prevent the spread of the Asian Long Horned Beetle to other areas. Control of the Asian Long Horned Beetle is accomplished by the removal of infested host trees and materials and then chipping or burning them. The risk of moving infested nursery stock, logs, green lumber,

firewood, stumps, roots, branches and debris of a half inch or more in diameter poses a serious threat to the hardwood forests and street, yard, park and fruit trees of the State. The quarantine imposed on Staten Island by this rulemaking was lifted on February 12, 2014.

Comments should be addressed to: Diane B. Smith, Department of Agriculture and Markets, 10B Airline Dr., Albany, NY 12235, (518) 457-6468, e-mail: diane.smith@agriculture.ny.gov

SECURITIES OFFERINGS

STATE NOTICES

Published pursuant to provisions of General Business Law
[Art. 23-A, § 359-e(2)]

DEALERS; BROKERS

12 Ghostzapper/Ballistae, LLC
800 Arbor Dr. N, Louisville, KY 40223

810 Seventh Avenue Member LLC
810 Seventh St. NW, Washington, DC 20001
State or country in which incorporated — Delaware

Brightview 6P LLC
Nine Birch Lane, Colts Neck, NJ 07722

Carlsbrooke NH Associates, L.P.
c/o Capital Solutions, Inc., 910 Harvest Dr., Suite 105, Blue Bell, PA
19422
Partnership — BM Carrisbrooke, LLC

EagleDream Health Inc.
500 Lee Rd., Rochester, NY 14606
State or country in which incorporated — Delaware

Eightfold Structured Real Estate Fund II, L.P.
Attn: Brian Tageson, 1111 Lincoln Rd., Suite 802, Miami Beach, FL
33139
Partnership — Eightfold Structured Real Estate GP II LLC

Encore Energy, Inc.
2049 Century Park E, Suite 2690, Los Angeles, CA 90067
State or country in which incorporated — California

EULAV Securities, LLC
Seven Times Sq., 21st Fl., New York, NY 10036-6524
State or country in which incorporated — Massachusetts

Fair-Haired Dumbbell LLC, The
3534 NE 45th Ave., #J, Portland, OR 97213
State or country in which incorporated — Oregon

GGCOF Executive Co-Invest, L.P.
One Embarcadero Center, 39th Fl., San Francisco, CA 94111
Partnership — GGCOF Co-Invest Management, L.P.

GGCOF IRA Co-Invest, L.P.
One Embarcadero Center, 39th Fl., San Francisco, CA 94111
Partnership — GGCOF Co-Invest Management, L.P.

GNB Financial Services, Inc.
32 W. Market St., Gratz, PA 17030
State or country in which incorporated — Pennsylvania

Griff Venture Fund I, LLC
233 Springfield Ave., Summit, NJ 07901

Hosking Global Sub-Fund No. 1
c/o Hosking & Co. Limited, 33 Sir John Rogerson's Quay, Dublin 2,
Ireland
State or country in which incorporated — Ireland

HudCo IX (International), L.P.
2711 N. Haskell Ave., Suite 1800, Dallas, TX 75204
Partnership — HudCo GenPar IX, LLC

Internet ID Systems, Inc.
c/o Capraro, Centofranchi, et. al., 110 Walt Whitman Rd., Suite 205,
Huntington Station, NY 11746
State or country in which incorporated — New York

Kalka Fund, LP
22 Indian Trail, Brookfield, CT 06804
Partnership — Kalka Capital, LLC

Lendoor Inc.
150 E. 3rd St., #4B, New York, NY 10009
State or country in which incorporated — Delaware

Lexinvest Fund 2, LLC
33 Whitehall St., 16th Fl., New York, NY 10004
State or country in which incorporated — New Jersey

Lomiko Metals, Inc.
#439-7184 120th St., Surrey, British Columbia V3W 0M6
State or country in which incorporated — British Columbia

Morgan Notes Fund II LLC
1080 Pittsford Victor Rd., Pittsford, NY 14534

Morgan Notes Fund QP II LLC
1080 Pittsford Victor Rd., Pittsford, NY 14534

Nordic Niobrara Lodge LLU, LLC
221 S. Phillips Ave., Suite 202, Sioux Falls, SD 57104
State or country in which incorporated — South Dakota

NuMale Charlotte, LLC
2600 N. Mayfair Rd., Suite 505, Wauwatosa, WI 53226
State or country in which incorporated — Wisconsin

NWC Investment Partnership IV, L.P.
c/o New World Capital Group, LLC, 527 Madison Ave., 24th Fl.,
New York, NY 10022
Partnership — NWC IP GP IV, LLC

NWC Investment Partnership IV (A), L.P.
c/o New World Capital Group, LLC, 527 Madison Ave., 24th Fl.,
New York, NY 10022
Partnership — NWC IP GP IV, LLC

Oak Forest IL Self Storage, LP
135 E. 57th St., 23rd Fl., New York, NY 10022
Partnership — Oak Forest IL Self Storage GP, LLC

P97 Networks, Inc.
10333 Richmond Ave., Suite 250, Houston, TX 77042
State or country in which incorporated — Delaware

PPE Allen 11, LP
1155 Kelly Johnson Blvd., Suite 480, Colorado Springs, CO 80920
Partnership — Pikes Peak Energy, LLC

Roth Capital Partners, LLC
888 San Clemente Dr., Newport Beach, CA 92660

Singerman Real Estate Opportunity Fund I REIT, LLC
980 N. Michigan Ave., Suite 1600, Chicago, IL 60611
State or country in which incorporated — Delaware

Trail Creek Crossing, LLC
970 W. Broadway, #446, Jackson, WY 83001
State or country in which incorporated — Idaho

Two Bridges Timbercreek Apartments LLC
159 20th St., Suite 2B, Brooklyn, NY 11232
State or country in which incorporated — Delaware limited liability company

WMD Long/Short Real Estate Securities Fund, L.P.
6279 Dupont Station Court, Jacksonville, FL 32217
Partnership — WMD L/S - I GP, LLC

WMD Offshore Long/Short Real Estate Securities Fund, L.P.
6279 Dupont Station Court, Jacksonville, FL 32217
Partnership — WMD L/S - I GP, LLC

Zaxis Institutional Partners, L.P.
25 Orinda Way, Suite 300, Orinda, CA 94563
Partnership — Apex Capital, LLC, general partner

MISCELLANEOUS NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

NOTICE OF PUBLIC HEARING REVISED

Department of Environmental Conservation

Water Quality Standards for Class I and Class SD Waters in New York City and Suffolk County: Amendment of Parts 701 and 703 of Title 6 NYCRR

A Notice of Proposed Rulemaking and Hearing was published in the December 3, 2014 issue of the State Register.

The public hearing for this proposed rulemaking was scheduled to be held on January 27, 2015 in New York City, but the hearing was postponed due to a blizzard warning.

The hearing has been rescheduled for:

Date: March 9, 2015

Time: 12:00 PM

Location: US Environmental Protection Agency, 290 Broadway, Rm. 27A, New York, NY 10007.

The public comment period for this proposed rulemaking has been extended until Monday, March 16, 2015. Comments must be submitted to the Department by 5:00 PM on March 16.

PUBLIC NOTICE

Division of Criminal Justice Services New York State Juvenile Justice Advisory Group

Pursuant to Public Officer Law § 104, the Division of Criminal Justice Services gives notice of a meeting of the New York State Juvenile Justice Advisory Group:

Date: March 6, 2015

Time: 1:30 p.m. - 3:30 p.m.

Place: New York State Executive Chamber

633 Third Ave., 38th Fl.
New York, NY 10007

Video Conference with:

Division of Criminal Justice Services
80 S. Swan St., 1st Fl. Crime Stat Rm.
Albany, NY 12210

For further information contact: Schellie Tedesco, Office of Juvenile Justice Policy, Division of Criminal Justice Services, 80 S. Swan St., 8th Fl., Albany, NY 12210, Schellie.tedesco@dcjs.ny.gov, (518) 457-3670, Fax: (518) 457-7482

PUBLIC NOTICE Department of Health

The New York State Department of Health (DOH) is required by the provisions of the federal regulation (CMS-2296-F, CMS-2249-F) implementing changes to Home and Community Based Services Waivers and the delivery of home and community based services more broadly to provide for public review and comment of its proposed Statewide Transition Plan to comply with new HCBS setting requirements established in the regulation. See 42 CFR 441.301(c)(6)(iii). These combined regulations make broad changes to the home and community based services waivers under 1915(c), implement the State Plan Home and Community Based Services Plan (1915(i)) authorized under the Affordable Care Act (PL 111-148, section 2402(b)), and establish the qualities and characteristics of appropriate settings in which participants of Medicaid HCBS under these authorities, including 1915(k), may reside and/or receive services.

CMS officials have indicated that states will have up to five years to fully transition their existing settings. States must develop the plan, publicize it broadly to stakeholders, seek and consider public comment through at least 2 separate methods of notice with 30 days to provide comment and submit a summary of public comments and their dispensation with its transition plan to CMS. New York posted its initial proposed transition plan and revised plan on the Department of Health Medicaid Redesign website and held several informational webinars on the plans in July of 2014 and January of 2015. In addition, New York State's revised statewide transition plan is excerpted, in part, below. The full plan, along with accompanying tables detailing timetables and deliverables, is available at http://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm

Overview

On January 16, 2014, the Center for Medicare and Medicaid Services (CMS) published the final rule related to Home and Community Based Settings (HCBS) for Medicaid-funded long term services and supports provided in residential and non-residential settings under the following authorities of the Social Services Act: 1915(c), 1915(i) and 1915(k). This rule implements a number of changes to home and community based waivers, finalizes regulatory changes to 1915(i) state plan home and community based services and imposes new requirements on what is considered an appropriate home/community based residential setting for all the authorities in its scope. The crux of this final rule is to provide person-centered requirements which identify

the strengths, preferences and needs (clinical and support), as well as the desired outcomes, of the individual. The inclusion of defined HCB setting requirements is one part of this strategy.

The final rule took effect March 17, 2014. States are required to submit transition plans to CMS within one year of the effective date indicating how they intend to comply with the new requirements within a reasonable time period. If states amend or renew any waivers or state plan amendments in place prior to the effective date, that action serves as a trigger for the state to submit a transition plan for all its waivers under 1915(c), as well as any state plan amendments under 1915(i) or 1915(k), within 120 days of the initial amendment/renewal submission.

The following is New York State's Statewide Transition Plan pursuant to this requirement.

Background

New York State operates 12 1915(c) waivers across the four major offices that oversee programs and services to individuals who are aged and/or physically, behaviorally, mentally, developmentally or intellectually disabled. These agencies/offices are the Department of Health (DOH), Office of Mental Health (OMH), Office for People with Developmental Disabilities (OPWDD) and Office of Children and Family Services (OCFS). In addition, the Office for Alcohol and Substance Abuse Services (OASAS) provides services to some individuals in these waivers and participated in the development of the Statewide Transition Plan. We do not currently offer services through our state plan under a 1915(i) or 1915(k) authority, although we have applied to CMS for approval of a 1915(k) Community First Choice Option state plan amendment.

The following 1915(c) waivers are currently operating in New York State, the agency/office in parentheses operates the program under the oversight of the Department of Health, the state's single Medicaid Agency.

- Long Term Home Health Care Program Waiver (DOH)
- Nursing Home Transition and Diversion Waiver (DOH)
- Traumatic Brain Injury Waiver (DOH)
- Care at Home Waivers (I, II, III, IV, and VI) – (I and II, DOH; III, IV and VI, OPWDD)
- Bridges to Health (B2H) Waivers (B2H Serious Emotional Disturbances, B2H Developmental Disabilities and B2H Medically Fragile) (OCFS)
- Home and Community Based Services (HCBS) Waiver (OPWDD)
- SED (Serious Emotional Disturbances) Children's Waiver (OMH)

In addition, the above agencies/offices offer significant home and community based LTSS through our Medicaid state plan and DOH provides HCB services under the NY Partnership Plan 1115 Demonstration Waiver. The rule does not apply to state plan services outside of 1915(i) and 1915(k) authorities. However, CMS has indicated that it expects NYS to address the application of the HCB Settings rule to all HCB services provided through its 1115 Demonstration in this Statewide Transition Plan.

Most individuals receiving services through these waivers are living in their own homes or those of family members where they enjoy the qualitative benefits of receiving services in the community as opposed to in an institution. However, there are individuals who live in congregate housing, adult care facilities and supportive housing where their autonomy, independence and community integration may be less apparent, including children and youth where their rights are delegated to their parents or guardians.

New York has affirmed its commitment to serving individuals with disabilities in the least restrictive environment under Governor Andrew Cuomo's leadership. In 2012, the Governor introduced legislation to establish the Justice Center to ensure protection against abuse and neglect of individuals with special needs. The Justice Center became operational in 2013. Also in 2012, he convened the Olmstead Development and Implementation Cabinet, which met with over 160 stakeholder groups and reviewed over 100 position papers before releasing its report in October 2013. This report lays out recommenda-

tions for New York policymakers to continue efforts to ensure that individuals with disabilities are provided the services and supports they need that reflect their choice and support their goals to live an independent and fully integrated life in the community.

Consistent with these efforts, New York State convened an inter-agency workgroup in 2014 to address how best to comply with the requirements of the new settings rule. The group met regularly to ensure that a cohesive Statewide Transition Plan was developed to address the unique needs of individuals across a wide variety of community-based settings. The interagency workgroup includes representatives from the Executive Chamber, DOH, OMH, OPWDD, OCFS, and OASAS. Five meetings were held between January and December to develop the transition plan that follows. This group will continue to meet to ensure full implementation of the plan and to work with stakeholders to carry out the assessment, remediation and ongoing monitoring activities in the plan.

Home and Community Based Setting Requirements

42 CFR § 441.301(c)(4) and (5) requires that all settings in which individuals receiving Medicaid-funded home and community based services live and/or receive services must have the following characteristics and qualities:

(i) The setting is integrated in and supports full access of individuals receiving Medicaid HCBS to the greater community, including opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community, to the same degree of access as individuals not receiving Medicaid HCBS.

(ii) The setting is selected by the individual from among setting options, including non-disability specific settings and an option for a private unit in a residential setting. The setting options are identified and documented in the person-centered service plan and are based on the individual's needs, preferences, and, for residential settings, resources available for room and board.

(iii) Ensures an individual's rights of privacy, dignity and respect, and freedom from coercion and restraint.

(iv) Optimizes but does not regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.

(v) Facilitates individual choice regarding services and supports, and who provides them.

The rule imposes further requirements on settings that are provider owned or controlled. The following qualities and/or conditions must be assured in these settings:

(A) The unit or dwelling is a specific physical place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services, and the individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the landlord tenant law of the State, county, city or other designated entity. For settings in which landlord tenant laws do not apply, the State must ensure that a lease, residency agreement or other form of written agreement will be in place for each participant and that the document provides protections that address eviction processes and appeals comparable to those provided under the jurisdiction's landlord tenant law.

(B) Each individual has privacy in their sleeping or living unit:

(1) Units have entrance doors lockable by the individual, with only appropriate staff having keys to doors as needed.

(2) Individuals sharing units have a choice of roommates in that setting.

(3) Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.

(C) Individuals have the freedom and support to control their own schedules and activities, and have access to food at any time.

(D) Individuals are able to have visitors of their choosing at any time.

(E) The setting is physically accessible to the individual.

Finally, the rule asserts that hospitals, nursing homes, institutional

care facilities (ICF) for the developmentally disabled and institutes for mental disease are not community-based settings. Further, settings on the grounds of public or private institutions and those in close proximity to public institutions are presumed to be institutional rather than community-based. New York State understands that it has the burden of providing evidence to the Secretary of Health and Human Services (HHS) if it believes that such a setting should be considered community-based for the purpose of allowing the provision of Medicaid-funded HCBS LTSS to individuals who reside there.

Summary of Activities to Develop Statewide Transition Plan (STP) Assessment of State/Systemic Framework and Existing Settings

The NYS DOH, OMH, OPWDD, OCFS and OASAS staff assigned to the interagency workgroup reviewed existing state rules, regulations, provider qualifications, and practices to ensure that there were no systemic barriers to the implementation of the new HCB settings requirements that cannot be addressed through the proposed remediation plan activities. This review found the state framework to be consistent with the federal rule.

Residential Settings

Staff reviewed the residential settings in which recipients of HCB services provided through the 1915(c) and 1115 waivers live and in the majority of cases found that participants live in their own home or family homes, which the state determines to be compliant with the rule. DOH and OMH determined that virtually all of their waiver participants live in fully compliant settings. The exceptions in the DOH TBI waiver are individuals who chose to live in a setting that may be partially compliant from among other options, which the regulation allows. There are no exceptions in the OMH SED waiver, which serves individuals between the ages of 5 and 17, all of whom reside in their family home.

OCFS notes that virtually all of its participants in the Bridges 2 Health Waivers live in family homes, however at any given time a number of participants may live in a congregate care foster home while awaiting placement in a family home. OCFS staff attest that these congregate settings have all the features one would find in a typical private home including kitchens with cooking facilities, community dining areas, living space for leisure time activities and bedrooms. Since the homes are located within the community there is ready access to activities and facilities available to the general population of the locale. The children are able to access and attend school within their communities, and utilize services fairly freely, and have the opportunity to build meaningful relationships with community members and community organizations.

While the majority of participants in all waivers live in fully compliant settings, the largest number of individuals in partially compliant settings are participants in the 1915(c) HCBS Waiver operated by the OPWDD. OPWDD has developed a specific HCBS settings transition plan to submit with its HCBS Waiver renewal anticipated to be resubmitted to CMS in 2015. Its components that are aligned with the statewide efforts are reflected in the Statewide Transition Plan. OPWDD's Transition Plan has further detail on planned activities unique to its system.

Non-residential settings

New York State's waiver participants receive HCB services both in their own homes and in the community. Some settings in which services are provided may not be fully compliant with the new federal rule. As part of the Statewide Transition Plan, New York's agencies and offices operating 1915(c) and/or 1115 waivers will assess non-residential settings through provider and participant surveys, validating self-assessment with statistically significant site visits by state or local staff, plan staff or other entities (i.e. contractors, consumer advocacy organizations).

Remedial Strategies

While the vast majority of waiver participants reside in compliant settings, the interagency workgroup recommended that remedial strategies include (1) ensuring that providers and participants are aware of the requirements and (2) that monitoring procedures and practices ensure that they are fully implemented in residential and non-residential settings in which recipients of HCB services funded

by Medicaid live and/or receive services. In addition, the state has a significant role to play in assuring that the intent of the rule is carried out consistently across the state by the myriad of providers, local agencies, managed care and managed long term care plans and other entities providing services to HCB service recipients.

Toward that end, the interagency workgroup will continue to meet and will work with stakeholders to develop guidance documents and other means to assure full compliance and a smooth implementation process.

This will also be the venue for the development of survey and evaluation tools to assess the appropriateness of non-residential settings and initial and ongoing compliance with the federal rule. Stakeholders will be involved in this process, as well, to assure that developed tools allow providers to effectively self-assess their settings to assure the presence of the qualities and characteristics of allowable HCB Settings.

The state will validate provider self-assessments using developed evaluation tools by deploying state or local staff, managed care organizations, long term care ombudsmen, contractors, HCB service recipients and/or consumer advocacy organizations to a statistically significant number of sites for compliance reviews.

Monitoring for Ongoing Compliance

New York State currently employs a variety of quality assurance and monitoring practices to meet the terms and conditions of its current 1915(c) and 1115 waivers. The state assures that these practices will be amended to include ensuring that the settings where recipients of HCB services and supports live and/or receive services comply with the requirements of the federal rule. This will be accomplished through guidance developed by the interagency workgroup with stakeholder input and implemented both through site visits and the person-centered service planning process. The Assessment of Residential Settings Chart includes the timing of planned site visits and the Statewide Transition Plan Timeline includes timeframes for the development of additional monitoring activities for both residential and non-residential settings.

Public Input

Initial Plan

The State developed its initial draft Statewide Transition Plan between March and June of 2014. This plan was published on a page devoted to the Home and Community Based Services Settings Rule on the State website on June 26, 2014 at http://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm.

Subsequently, two Webinars were held in July to inform interested parties across the state of the requirements of the federal rule and the State's efforts to develop a transition plan. The identical presentations and a recorded version of the first session were posted and remain available on the website. This page also allows stakeholders and the general public electronic access to the final rule published in the Federal Register on January 16, 2014.

In addition, the State published a notice about the draft Statewide Transition Plan in the August 27, 2014 State Register at <http://docs.dos.ny.gov/info/register/2014/august27/pdf/misc.pdf>.

Finally, staff at each of the agencies/offices operating waivers under 1915(c) and 1115 of the Social Security Act included information about the federal rule, its impact and the state's proposed transition plan in numerous presentations to stakeholder groups, including recipients of HCB services and supports and their representatives, across the state.

Summary and Disposition of Public Comments

Five organizations submitted written comments to the State regarding the initial Statewide Transition Plan.

The comments specific to the draft statewide transition plan are summarized here. Generally, organizations felt that:

- the proposed transition plan is too vague,
- it lacks stakeholder involvement in its development and implementation, and
- it pushes compliance too far into the future.

The State agrees that the initial plan did not include the specific assessment, remediation and monitoring milestones, timeframes and deliverables that CMS guidance released in late Spring noted was expected to be included in plans submitted for approval. Accordingly, the revised Statewide Transition Plan includes these components.

To address concerns about the lack of stakeholder involvement in the initial plan, the revised plan calls for a significant role for stakeholders in developing survey and evaluation tools and participating in the implementation of the specified activities to achieve full compliance in all settings across the state.

Finally, the State has amended the state plan to better define the actions we will take to achieve compliance while providing ample time for providers to implement necessary changes.

The final rule, slides and recording of an informational Webinar held on January 22, 2015 and New York's initial and revised Statewide Transition Plans in their entirety, including charts referenced above, are available at: http://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm

Any interested parties and/or agencies desiring to review and/or comment on New York's proposed Statewide Transition Plan on appropriate settings for recipients of home and community based services funded by Medicaid may do so by writing before March 11, 2015 to: Mark Kissinger, Director, Division of Long Term Care, Department of Health, Office of Health Insurance Programs, One Commerce Plaza, Rm. 1624, Albany, NY 12210, e-mail: mark.kissinger@health.ny.gov or OLTCDHCBS@health.ny.gov with "HCBS Settings Comment" in the subject field

PUBLIC NOTICE

New York State and Local Retirement Systems Unclaimed Amounts Payable to Beneficiaries

Pursuant to the Retirement and Social Security Law, the New York State and Local Retirement Systems hereby gives public notice of the amounts payable to beneficiaries.

The State Comptroller, pursuant to Sections 109(a) and 409(a) of the Retirement and Social Security Law has received, from the New York State and Local Retirement Systems, a listing of beneficiaries or estates having unclaimed amounts in the Retirement System. A list of the names contained in this notice is on file and open to public inspection at the office of the New York State and Local Retirement Systems located at 110 State St., in the City of Albany, New York.

Set forth below are the names and addresses (last known) of beneficiaries and estates appearing from the records of the New York State and Local Retirement Systems, entitled to the unclaimed benefits.

At the expiration of six months from the date of publication of this list of beneficiaries and estates, unless previously paid to the claimant, the amounts shall be deemed abandoned and placed in the pension accumulation fund to be used for the purpose of said fund.

Any amounts so deemed abandoned and transferred to the pension accumulation fund, may be claimed by the executor or administrator of the estates or beneficiaries so designated to receive such amounts, by filing a claim with the State Comptroller. In the event such claim is properly made, the State Comptroller shall pay over to the estates or to the person or persons making such claim, the amount without interest.

ABRAMSON, MARK L ESTATE OF PORTLAND ME
 BISSELL, SALLY HEUVELTON NY
 BRADLEY, ALAN R MARCY NY
 BRADLEY, CURTIS N CANTON NC
 BRADLEY, ROGER S FORESTPORT NY
 BUCKLEY, MILDRED ESTATE OF ALBANY NY
 BUSH, ISABELLE LOWVILLE NY
 CALDWELL, RALPHINE ESTATE OF NYACK NY
 CODMAN, III JOHN OSSINING NY
 COFFEY, MARGARET ESTATE OF EATON GA
 CONKLIN, DAVID ANTHONY LAKE PEEKSKILL NY
 COPELAND, ROBERT C KERHONKSON NY

COUTANT, ANN F ESTATE OF CRAGSMOOR NY
 CUTCHIN, PAYTON WEST HEMPSTEAD NY
 DAY, ISABEL ESTATE OF ROCHESTER NY
 DINEEN, BONNIE LITTLE VALLEY NY
 DINEEN, KATHY LITTLE VALLEY NY
 DINEEN, SHARON LITTLE VALLEY NY
 DINEEN, SUZANNE LITTLE VALLEY NY
 DINEEN, TIMOTHY LITTLE VALLEY NY
 DUNKEL, ROSLYN ESTATE OF NORTH MASSAPEQUA NY
 FINNEGAN, PATRICIA MIDDLETOWN CT
 FITZGERALD, THOMAS J ESTATE OF ISLIP TERRACE NY
 FRIEDMAN, ANNETTE ESTATE OF SOUTHAMPTON NY
 GOLDIE, PENNI ELMIRA HEIGHTS NY
 GOREY, KATHRYN OSSINING NY
 GOREY, KEVIN M, JR OSSINING NY
 GOREY, KYLE OSSINING NY
 GRYBER, ZACHARY TABERG NY
 GUENTHER, MILDRED WEST SENECA NY
 HAAK, MORGAN ALBION NY
 HANLEY, HUGH V ESTATE OF OAK HILL VA
 HANSEN, BRENT SCHENECTADY NY
 HARTE, CAROL A HOWARD BEACH NY
 HIRTREITER, BETTY JEAN EST OF TONAWANDA NY
 HOPPER, SAMUEL J PORT SAINT LUCIE FL
 HYLTON, TAHNIYA BRONX NY
 JACKSON, CHRISTOPHER B BROOKLYN IN
 JOHNSON, CHRISTINE G ELLENVILLE NY
 JONES, JOANNE R UTICA NY
 JOSEPH MIERZWA, ESTATE OF FLUSHING NY
 JOSHUA, ALVIN A ESTATE OF PROVIDENCE RI
 KERR, HARRIET A. ESTATE OF COLUMBUS OH
 KIRMSS, ELIZABETH A ESTATE OF COEYMANS HOLLOW NY
 LAMME, SUSAN E PENFIELD NY
 LEFFENANT, LAVELL HUNTINGTON STATION NY
 LOWERY, BRITTANEE D HYDE PARK NY
 LYNCH, CLARICE P ESTATE OF COLLEGE PARK VA
 MARCINELLI, SANTINA BUFFALO NY
 MAROTTA, ZAFFA A WHITESBORO NY
 MC FADYEN, LAUREN CORTLANDT MANOR NY
 MC FADYEN, MICHAEL CORTLANDT MANOR NH
 MC GIVERN, MARTHA ESTATE OF CONGERS NY
 MCCORMICK, MICHAEL J ESTATE OF ROCHESTER NY
 MESARIS, RAYMOND J ESTATE OF PORT CHARLOTTE FL
 MIMS, LYTHEL I UTICA NY
 MOERSCHHELL, GERARD C MILTON NY
 MONETTE, WILLIAM BUFFALO NY
 MORSE, JEAN ESTATE OF CAPE VINCENT NY
 MULLEN, MARIE K ESTATE OF MASSAPEQUA NY
 MULLER, JUNE ESTATE OF ROME NY
 PALERMO, CHRISTOPHER RONKONKOMA NY
 PARSON, BRETT NEW HYDE PARK NY
 PARSON, DERRICK, JR NEW HYDE PARK NY
 PARSON, DERRICK, SR NEW HYDE PARK NY
 PARSON, ROSHEAN NEW HYDE PARK NY
 PECYLAK, HELEN ESTATE OF HASTINGS NY
 PFENNINGER, SARAH E TONAWANDA NY
 POLLOCK, MARGARET M AKRON OH
 PRINCE, BETTY ELIZABETH EST OF ROCHESTER NY
 RAMOS, BRIAN MAHOPAC NY

RAMOS,JENNIFER MAHOPAC NY
 RAMOS,ROBERT L MAHOPAC NY
 RICHARDSON,DE SEAN BROOKLYN NY
 ROESCH,ROBERTA DE BLASIO OCEAN BEACH NY
 SCHOMBERT,HAROLD P ESTATE OF WHITE PLAINS NJ
 SHERLOCK,JAMIE CLAY NY
 SHERLOCK,KARI HOMER NY
 SOSNOWSKI,ANNE ESTATE OF ST CHARLES MO
 SOY,SARAH W ORANGE NJ
 SPIES,EDWARD MILLIS MA
 TORRES,ANTHONY J ALBANY NY
 TORRES,CHARLES F BUFFALO NY
 TORRES,SELENA M ALBANY NY
 TWITCHELL,MARY L MT UPTON NY
 WALLER,CYNTHIA ESTATE OF MIRAMAR CA
 WATSON,GERARD NORTHPORT NY
 WEDDLE,JAMES MONTGOMERY NY
 WOOD,DERECK W SARANAC NY
 WOOD,KAYLYN M SARANAC NY
 WOOD,KEAGAN M SARANAC NY

PUBLIC NOTICE

Office of Parks, Recreation and Historic Preservation

Pursuant to section 14.07 of the Parks, Recreation and Historic Preservation Law, the Office of Parks, Recreation and Historic Preservation hereby gives notice of the following:

In accordance with subdivision (c) of section 427.4 of title 9 NYCRR notice is hereby given that the New York State Board for Historic Preservation will be considering nomination proposals for listing of properties in the State and National Register of Historic Places at a meeting to be held on Wednesday, March 25, 2015 at 10:30 AM, at Peebles Island State Park, 1 Delaware Avenue, Cohoes, NY 12188.

The following properties will be considered:

1. Union and State Streets Historic District, Olean, Cattaraugus County
2. First Unitarian Church, Buffalo, Erie County
3. Stevens-Sommerfeldt House, Clarendon, Orleans County
4. Manhattan Beach Synagogue, Kings County
5. Williamsbridge Oval Park and Recreation Center, Bronx County
6. West Side Unitarian Church, New York County
7. Helen Hill Historic District, Saranac Lake, Essex and Franklin counties
8. Alligerville Historic District, Rochester, Ulster County
9. Charles H. Coons Farm, Germantown, Columbia County
10. Christian Hess House & Shoemaker's Shop, Schoharie, Schoharie County
11. Canajoharie Historic District, Canajoharie, Montgomery County
12. Waccabuc Historic District, Lewisboro, Westchester County
13. William Barkin House, Long Beach, Nassau County
14. Skinny House, Mamaroneck, Westchester County
15. Murphy Grist Mill, Beekman, Dutchess County
16. Brigadier General David McCarty Stone Cottage, Coeymans, Albany County
17. Former Reformed Protestant Church of Coeymans Parsonage, Coeymans, Albany County
18. First Congregational Church of Walton, Walton, Delaware County
19. Clinton-Columbia Historic District, Elmira, Chemung County
20. Arvine Heights Historic District, Rochester, Monroe County
21. Inglewood-Thurston Historic District, Rochester, Monroe County

22. Liverpool Cemetery, Liverpool, Onondaga County
23. Conkling-Boardman-Eldridge House, Rensselaerville, Albany County

To be considered by the board, comments may be submitted to Ruth L. Pierpont, Deputy Commissioner for Historic Preservation, Division for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, New York 12188-0189, no later than Tuesday, March 24 or may be submitted in person at the meeting by contacting Ruth L. Pierpont at the same address no later than March 24.

For further information, contact: Ruth L. Pierpont, Deputy Commissioner for Historic Preservation, Peebles Island, P.O. Box 189, Waterford, NY 12188-0189, (518) 237-8643

PUBLIC NOTICE

Office for People with Developmental Disabilities (OPWDD)
 Home and Community Based Services (HCBS)
 Settings Transition Plan

Pursuant to 42 CFR 441.301(c)(6)(iii), OPWDD hereby gives notice in order to obtain public comments on OPWDD's revised HCBS Settings Transition Plan. The revised HCBS Settings Transition Plan includes updated information on non-residential settings based on guidance issued by the Centers for Medicare and Medicaid Services (CMS) in December 2014.

OPWDD's initial HCBS Settings Transition Plan was formally made available for public comment from May 2, 2014 through June 3, 2014. Information on the initial Transition Plan and public comments as well as OPWDD's HCBS settings actions and activities can be found on OPWDD's website using the following link: http://www.opwdd.ny.gov/opwdd_services_supports/HCBS/home

A summary of the initial public comments received and OPWDD's response is incorporated into the revised OPWDD HCBS Settings Transition Plan.

The full text of OPWDD's revised Transition Plan is available on OPWDD's website at: http://www.opwdd.ny.gov/opwdd_services_supports/HCBS/announcement-for-public-content

Public input is requested in writing no later than March 18, 2015 to the following email and/or mailing address:

Quality@opwdd.ny.gov (specify HCBS Settings Transition Plan comments in subject line)

Or

OPWDD

44 Holland Avenue, 4th Floor

Albany, New York 12229

Attention: DQI HCBS Settings

OPWDD will also accommodate input through private or group telephone contact no later than March 18, 2015. Contact Alicia Matuliewicz, OPWDD Division of Quality Improvement, at (518) 473-9050 to make arrangements to provide verbal comments.

In addition, OPWDD will be hosting a public webinar to review the revisions to the HCBS Settings Transition Plan and to accept public comments during the following dates and times:

Webinar Session 1:	Monday February 23, 2015	3:00 PM to 4:30 PM
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To register go to <https://meetny.webex.com/meetny/onstage/>

Webinar Session 2:	Tuesday February 24, 2015	5:00 PM to 6:30 PM
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To register go to <https://meetny.webex.com/meetny/onstage/>

To join the audio conference only, please call one of the following numbers:

Local: 1-518-549-0500

Toll Free: 1-844-633-8697

Alternate Toll Free - (For callers not able to call the 844 Toll Free Number): 1-866-776-3553

Information regarding New York State's Statewide HCBS Settings

Transition Plan can be accessed on the Department of Health's website using the following link: https://www.health.ny.gov/health_care/medicaid/redesign/home_community_based_settings.htm

PUBLIC NOTICE

Susquehanna River Basin Commission

Commission Meeting

SUMMARY: The Susquehanna River Basin Commission will hold its regular business meeting on March 5, 2015, in Hershey, Pennsylvania. Details concerning the matters to be addressed at the business meeting are contained in the Supplementary Information section of this notice.

DATE: March 5, 2015, at 9:00 a.m.

ADDRESS: Hershey Lodge, 325 University Drive, Hershey, Pa. 17033.

FURTHER INFORMATION CONTACT: Jason E. Oyler, Regulatory Counsel, telephone: (717) 238-0423, ext. 1312; fax: (717) 238-2436.

SUPPLEMENTARY INFORMATION: The business meeting will include actions or presentations on the following items: (1) informational presentation of interest to the Lower Susquehanna Subbasin area; (2) revision of FY-2016 budget; (3) ratification/approval of contracts/grants; (4) resolution to encourage the use of dry cooling technology for power generation and other facilities for the conservation of the waters of the Susquehanna River Basin; (5) notice for Four Seasons Golf Course project sponsor to appear and show cause before the Commission; (6) regulatory compliance matter for Cabot Oil & Gas Corporation; and (7) Regulatory Program projects.

Projects listed for Commission action are those that were the subject of a public hearing conducted by the Commission on January 29, 2015, and identified in the notice for such hearing, which was published in 80 FR 98, January 2, 2015.

Opportunity to Appear and Comment:

Interested parties are invited to attend the business meeting and encouraged to review the Commission's Public Meeting Rules of Conduct, which are posted on the Commission's website, www.srb.com. As identified in the public hearing notices referenced above, written comments on the Regulatory Program projects that were the subject of a public hearing, and are listed for action at the business meeting, are subject to a comment deadline of February 9, 2015. Written comments pertaining to any other matters listed for action at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pennsylvania 17110-1788, or submitted electronically through <http://www.srb.com/pubinfo/publicparticipation.htm>. Any such comments mailed or electronically submitted must be received by the Commission on or before February 27, 2015, to be considered.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: January 30, 2015.

Stephanie L. Richardson

Secretary to the Commission.

PUBLIC NOTICE

Uniform Code Regional Boards of Review

Pursuant to 19 NYCRR 1205, the petitions below have been received by the Department of State for action by the Uniform Code Regional Boards of Review. Unless otherwise indicated, they involve requests for relief from provisions of the New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollsen, Building Standards And Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2015-0015 Matter of Gary D. Garwig, Stantec Consulting Services, Inc., 61 Commercial St., Suite 100, Rochester, NY 14614 for a vari-

ance concerning public safety issues in a bus loop drop off area of a large office complex that has some parking associated with the loop.

Involved is the proposed rehabilitation of a designated bus loop serving the office complex. This rehabilitation work is proposed to include the installation of an asphalt parking surface. The building code requires that parking surfaces shall consist of noncombustible and nonabsorbent materials. The building contains a mixed occupancy B/ S-2 (Business/Low Hazard Storage) occupancy, is four stories in height of Type IB (fire resistive) construction, having a floor area of 2,880,000 square feet. The building containing the bus loop is commonly known as the Empire State Plaza, located in the downtown area of the City of Albany, Albany County, New York.

2014-0044, Dryden Baptist Church, c/o Ronald Miller, 138 Virgil Road, Dryden, NY 13053 for a variance related to an addition to a religious center at 138 Virgil Road, Town of Dryden, and Tompkins County, in accordance with the New York State Uniform Fire Prevention and Building Code.

Involved is the request of a variance for a required sprinkler system. The subject building is located at 138 Virgil Road, Town of Dryden, and Tompkins County, State of New York.

2015-0046 Matter of ANNE HERSH ARCHITECT, ANNE HERSH, 2 W. MARKET STREET, SUITE 205, CORNING, NY 14830, for a variance concerning safety requirements, including a required sprinkler system in a building, located at 15512 West Lake Road, Town of Putney, County of Steuben, State of New York.

EXECUTIVE ORDERS

Executive Order No. 142: Temporarily Modifying Laws and Regulations to Authorize the Governor to Regulate Traffic and Suspending Laws Establishing Time Limitations on Actions and Time in Which to Take an Appeal.

WHEREAS, on January 26, 2015, I issued Executive Order Number 141 declaring a disaster emergency in the counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Ulster, Westchester and contiguous counties;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency or governmental entity during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily modify, through February, 2, 2015, the following laws and regulations:

Section 24 of the Executive Law; sections 104 and 346 of the Highway Law; 1602, 1630, 1640, 1650, and 1660 of the Vehicle and Traffic Law; section 14(16) of the Transportation Law; sections 6-602 and 17-1706 of the Village Law; section 20(32) of the General City Law; section 91 of Second Class Cities Law; section 19-107(ii) of the New York City Administrative Code; and section 107.1 of Title 21 of the New York Codes, Rules and Regulations, to the extent necessary to provide the Governor with the authority to regulate traffic and the movement of vehicles.

FURTHER, I hereby temporarily suspend, for the period from the date of this Executive Order through January 28, 2015, to the extent that any person or an attorney for any person has been directly affected by the disaster emergency, the following laws:

Section 180.80 of the Criminal Procedure Law, to the extent that it limits the time during which a defendant against whom a felony complaint has been filed with a local criminal court may be held in custody pending the disposition of such felony complaint when such limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141;

Section 201 of the Civil Practice Law and Rules, so far as it bars actions whose limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141, and so far as it limits a court's authority to extend such time, whether or not the time to commence such an action is specified in Article 2 of the Civil Practice Law and Rules;

Section 5513 of the Civil Practice Law and Rules, so far as it relates to a limitation period that concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141;

Section 25 of the Court of Claims Act, so far as it relates to a limitation of time to appeal in which a limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141;

Sections 30.10 and 30.30 of the Criminal Procedure Law, so far as they may bar criminal prosecutions, in cases whose limitation periods conclude during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141;

Sections 460.10, 460.30, 460.50 and Article 460 of the Criminal

Procedure Law, so far as they relate to a limitation of time to appeal and such limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141; and

Section 1113 of the Family Court Act, so far as it relates to a limitation of time to appeal and such limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141.

IN ADDITION, I hereby temporarily suspend and modify, for the period from the date of this Executive Order until further notice, any other statute, local law, ordinance, order, rule or regulation or part thereof, establishing limitations of time for the filing or service of any legal action, notice or other process or proceeding that the courts lack authority to extend through the exercise of discretion, where any limitation of time concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141.

(L.S.)

GIVEN under my hand and the Privy Seal of the State in the City of Albany, this twenty-sixth day of January in the year two thousand fifteen.

BY THE GOVERNOR

/S/ Andrew M. Cuomo

/s/ Lawrence Schwartz

Secretary to the Governor

